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THE
ELIMINATION
OF THE
TRAMP

EDMOND KELLY

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**THE ELIMINATION OF
THE TRAMP**

THE ELIMINATION OF THE TRAMP

BY THE INTRODUCTION INTO AMERICA OF THE LABOUR
COLONY SYSTEM ALREADY PROVED EFFECTIVE IN
HOLLAND, BELGIUM, AND SWITZERLAND, WITH
THE MODIFICATIONS THEREOF NECESSARY
TO ADAPT THIS SYSTEM TO
AMERICAN CONDITIONS

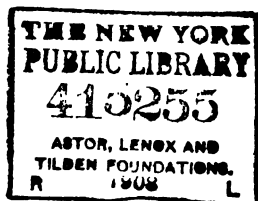
BY

EDMOND KELLY, M.A., F.G.S.

SOMETIME LECTURER ON MUNICIPAL GOVERNMENT AT COLUMBIA UNIVERSITY
AUTHOR OF "EVOLUTION AND EFFORT," "GOVERNMENT OR HUMAN
EVOLUTION," ETC.

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Autism

CONTENTS

	PAGE
PREFACE BY ROBERT W. HEBBERD	v
PREFACE BY R. FULTON CUTTING	vii
PREFACE BY ROBERT W. DE FOREST	xi
AUTHOR'S PREFACE	xv

CHAPTER I

THE PROBLEM	I
-----------------------	---

CHAPTER II

CLASSIFICATION OF TRAMPS	9
------------------------------------	---

CHAPTER III

LABOUR COLONIES	18
---------------------------	----

CHAPTER IV

SWISS LABOUR COLONIES	34
---------------------------------	----

CHAPTER V

APPLICATION OF THE CONTINENTAL SYSTEM OF LABOUR COLONIES TO AMERICA	51
--	----

§ I. Proposed modification of the Swiss labour colony plan	57
---	----

CHAPTER V (*Continued*)

	PAGE
§ 2. What will be the general aspect of a proposed labour colony?	62
§ 3. Separation of the unemployed from the unemployable	64
§ 4. Functions of a magistrate under the labour colony plan	67
§ 5. Treatment of the inmates in the forced and free labour colonies	68
§ 6. Punishment	77
§ 7. Size	79
§ 8. Cost	80
§ 9. Relation of forced labour colonies to penitentiaries	85

CHAPTER VI

INDISCRIMINATE ALMSGIVING, AND CONCLUSION	87
---	----

APPENDIX A

INSTITUTIONAL FARMS IN AMERICA	97
--	----

APPENDIX B

CLASSIFICATIONS	103
---------------------------	-----

APPENDIX C

FORM OF CONTRACT USED IN SWITZERLAND	108
--	-----

APPENDIX D

RULES AND REGULATIONS OF NUSSHOF COLONY	110
---	-----

PREFACE

DEPARTMENT OF PUBLIC CHARITIES
OF THE CITY OF NEW YORK.

NEW YORK, January 3, 1908.

DEAR MR. KELLY:

Having read with considerable care your pamphlet on *The Elimination of the Tramp*, I desire to express to you my gratification over the fact that you have presented the labour colony cause so forcibly and clearly. Those of us who are now and have long been anxious for an agricultural labour colony in this State, desire its establishment in order that vagrants may have, what is now practically denied to them, the opportunity for reformation under long-continued discipline that is really helpful and not merely punitive in its nature. The establishment by this State of an involuntary labour colony on waste land susceptible of reclamation and of utilisation in agricultural pursuits should be recognised as a pressing necessity, and the pamphlet

which you have written should be a great help toward that desirable end. Permit me to express the hope that it will be given wide circulation among those who have it in their hearts to consider the unfortunate, and have it as well in their power to assist in securing the establishment of such a colony as we desire in this State.

Respectfully yours,

ROBERT W. HEBBERD,

Commissioner.

EDMOND KELLY, ESQ.,

175 Second Avenue, New York City.

PREFACE

BY

R. FULTON CUTTING

THE migration cityward is not due wholly to distaste for rural life. It is part of the grave problem of the lack of winter employment. From December to March our cities are overrun with a pitiable legion whose only fault it is that "no man has hired them." With these are many who discredit the worthy poor by their fraudulent appeal to sympathy. Our remedies for this social malady are the relief societies, the municipal lodging house, and the bread line. Unequal to the strain in normal times these remedies utterly break down in years of financial depression like the present. Food and lodging are not what most of these nomads want, and charity does not meet their need. They make us feel the force of the reflection of Edward Dennison—"the gigantic subscription lists which are

vaunted to signify our benevolence, are monuments of our indifference." The following monograph is a sincere and commendable effort to make us use our intelligence about this problem of labour as the Belgians, the Swiss, and the Dutch have used theirs before us. It proposes an expedient that has proved its value abroad and can unquestionably be pursued to advantage in this country. That it affords a final solution of this phase of the labour problem no one will maintain, but that it will materially relieve the suffering of the unemployed and make them more capable of self-support is uncontested. Its merit, moreover, is not confined to either the shelter or educational value of the single colony. It opens up a vast field of State co-operation in the labour market such as is practised by the Workman's Relief Stations of Germany and Switzerland, and the Swiss Inter-Cantonal Union for Relief in kind. In the latter country this co-operation extends even to the deferring of the conduct of certain National and Cantonal public works until after the agricultural season has terminated so as to afford a better opportunity for home labour when the har-

vest demand ceases. It can hardly be expected that this enterprise should be wholly self-supporting. The long winter season in this vicinity seriously handicaps this possibility, but intelligent and extended co-operation between city and country authorities and the labour colonies should materially enhance the latter's remunerative value.

There are many articles used in city institutions that could be readily manufactured by unskilled labour under proper oversight and these institutions should all be customers of the colony. There are also many private institutions dependent upon the city by reason of a per capita subsidy for their beneficiaries and these also should trade with the colony. Altogether without interfering with private business or competing in the general market the colony should be able to dispose of a very considerable product. The experiment should certainly be attempted.

PREFACE

BY

ROBERT W. DEFORD.

MR. EDMOND KELLY, an American student of social problems, has the unusual advantage of being able to view these problems from the broad perspective of European experience gained by a long residence abroad. He brings that knowledge and experience most helpfully to bear on the problem of vagrancy, which has already assumed such serious importance in every large American city. To the Old World it is an old problem with which some Continental communities have been long dealing with more or less success. To the New World it is, fortunately for us, a new problem with which we have only begun to deal and to the solution of which, with Mr. Kelly's aid, we can apply Old World experience.

Mr. Kelly reiterates the long admitted proposition that "vagrancy is kept alive

by indiscriminate almsgiving, and such (misnamed) charities as shelters, soup-kitchens, etc." But this proposition, axiomatic as it is to every experienced charity worker, needs constant iteration, for strangely enough it is still ignored in practice by a large part of our intelligent American people. He recognises, too, the all-important distinction between poverty and pauperism, and urges that pauperism, certainly in the form of vagrancy, can be successfully dealt with only by governmental agencies and not by private charity.

In this conclusion our American charity organisation societies, which have been dealing with mendicancy in its various forms, will undoubtedly agree.

Mr. Kelly's remedy is that of labour colonies, as they have been organised in Switzerland, and the reasons for such institutions, which in dealing with vagrants shall stand between the almshouse and the prison or penitentiary, are well illustrated by the experience of our New York Charity Organisation Society in relation to mendicancy. Our vagrants who are found begging are divided roughly into two classes: First, those who are in real need, who have not yet formed perma-

ment habits of vagrancy and who, with some encouragement, can be induced to work and again become useful members of society. Our treatment of these has been relief of their immediate necessities, aid in securing work, and encouragement to continue it. We have never caused an arrest for vagrancy until the opportunity for reform has been offered. Second, the confirmed mendicants, who after warning did not desist. These we have caused to be arrested, and then we have met the same practical difficulties which Mr. Kelly describes. The magistrate has no alternative between discharge and imprisonment. If tender-hearted or mercifully inclined, he will hesitate to imprison for a single act of begging. If severe he may punish the first offender as severely as the hardened criminal. It is only by being able to present to the magistrate the evidence which the Society has accumulated respecting habitual mendicants that we have been able to secure any adequate punishment for such cases. If the magistrate had an opportunity to make some intermediary disposition of vagrancy cases, as in Switzerland, the inherent difficulty of the present situation would be avoided.

It is quite evident from Mr. Kelly's account of the Continental labour colonies that their success or failure is quite as much a question of management as of system, and in the event of any American experiment the personnel of the manager would be all important.

It is greatly to be hoped that the experiment of an American Labour Colony can be fairly tried under appropriate legislation.

AUTHOR'S PREFACE

THE introduction of labour colonies, with a view to solving the tramp problem, has occupied me now for some twenty years. The first time that I wrote on the subject¹ I ventured to suggest that the labour colony system would never be complete until to the forced labour colonies then in operation in Holland, Belgium, and Germany were added free labour colonies, so that *every* person found wandering on the highways or the streets without means of support could be inexpensively provided for—in the former if in need of discipline, in the latter if a blameless victim of industrial conditions. About the time when I was writing, Switzerland had come to a similar conclusion though I did not learn of it until two years ago.

I have visited all the colonies in Holland and Belgium; the colony of Merxplas I have visited twice; the second time in the company of Mr. Henri Monod, late Director

¹ *Evolution and Effort: The Problem of Pauperism*, p. 157.

of Charities in France (Assistance Publique) and Mr. Jean Cruppi, one of the Vice-Presidents of the Chamber of Deputies, who was the "Rapporteur" of a Committee on Vagrancy appointed by the Chamber. On this occasion, we had all the facilities which one Government can render to another in such an enquiry, and although I was impressed anew by the discipline and order of Merxplas, I was equally impressed by its failure to reform its inmates or to meet its expenses by the product of their labour.

In 1906, the *Report of the Departmental Committee on Vagrancy* called my attention to the colonies in Switzerland as being practically self-supporting, and I therefore visited them. It is the result of this visit which I have embodied in the present monograph. During the years in which I have given attention to this subject, my first impression in their favour has never been attacked by a single doubt. Every few years the system has been improved until at last in Switzerland it seems to have approached very near perfection. In Holland and Belgium for years vagrancy has been unknown, but not without cost to the State.

In those cantons of Switzerland in which these labour colonies are in operation, not only has vagabondage disappeared but it has been eliminated without cost to the State, beyond the initial expense of purchasing land and constructing buildings.

In view of the fact that the public mind is now agitated by the extent of the tramp evil in the United States and of the acute state which the problem of the unemployed is likely to reach this winter, I have endeavoured to present in these pages all the information and suggestions that occurred to me in this connection, and I earnestly hope they may lead to legislation at an early date. It seems incredible that a country as advanced in civilisation as ours should in this one respect be so far behind Holland, Belgium, and Switzerland, or that an evil so great should be allowed to flourish unchecked when we have at our disposal so simple, inexpensive, and complete a remedy.

The present is an exceptionally favourable moment for legislative action: In New York State not only is the tramp question occupying the railroads but the present period of

industrial depression is largely increasing the army of the unemployed; the question of the tramp cannot be separated from that of the unemployed for vicious tramps often masquerade as unemployed, and innocent unemployed after a few weeks' tramping cannot be distinguished from tramps.

Again there is a plan to spend \$4,000,000 on a new penitentiary on Riker's Island which is on the point of execution and may be unnecessary should it be decided to institute Farm Colonies. Commissioner Lantry proposed to build this penitentiary early in 1906; his plan was formally approved by the Board of Estimate on September 4th of the same year and an appropriation of \$3,500 made to pay for the expense of holding an architect's competition with respect to plans therefor. It must be remembered that it was part of the original intention, when the Department of Charities was separated from the Department of Correction, that Blackwell's Island be employed exclusively by the Department of Charities and new buildings be put up on Riker's and Hart's Islands for the purposes of the Department of Correction. Moreover a new penitentiary seemed indis-

pensable in view of the sale of the old Kings County Penitentiary and the transfer of its inmates to Blackwell's Island. A sum of \$200,000 was approved by the mayor on November 11, 1907, for the purpose of entering into contracts for detailed plans with the successful competitors and the Corporation Counsel has already approved the payment of \$40,000 for these plans. At any moment therefore the mayor may be in a position to sign contracts for the building of this penitentiary and this once done it will constitute a serious obstacle to the appropriation of the sums necessary for the purchase of land and the construction of labour colony buildings.¹

Nothing stands so much in the way of this labour colony plan in France and in England as the existence of just such expensive buildings as it is now proposed to construct on Riker's Island. It is the large and costly penitentiaries which already exist in France that render abortive all efforts to introduce the labour colony plan in France and the unanimous Report of the Depart-

¹ I desire to express my indebtedness to the Bureau of Municipal Research for up-to-date information on this subject.

mental Committee in favour of labour colonies will doubtless fail in England for the same reason.

The spending of \$4,000,000 for the building of a penitentiary on Riker's Island when the expenditure of \$2,000,000 on labour colonies will not only solve the whole tramp problem but at the same time in great part relieve the congestion of the penitentiaries ought, in itself to constitute a sufficient reason for immediate action not only with a view to securing the necessary legislation for the labour colony plan but also with a view to preventing a large and unnecessary expenditure.

But we ought not to be required to furnish any special reason for legislation on this subject.

If any one will follow the tramp during a night in New York beginning at the Doyers Street Mission which is open between ten and eleven, where they crowd to keep warm; next, when the Mission is closed, into the streets where the "hobo"¹ and tramp wander and into the liquor saloons which the "bum"

¹ For an explanation of the distinction between "bum," "hobo," and "tramp," see Appendix p. 103.

frequents—always in the effort to keep warm; next to one of the bread lines, as for example at the Bowery Mission, where they stand in two rows before it is open in the hope of a meal, and where one thousand are fed and very nearly one thousand sent away unfed every night; then to the trucks where some of them go to snatch an hour's sleep in the cold; and to the asphalt kettles in Washington Square round which they huddle—always in the ineffectual effort to keep warm;—if he will take the pains to scrutinise these men as he can while they file through the Bowery Mission for their midnight meal and recognise that more than one half of them are clearly self-respecting workingmen without employment, he will feel that he has no right to a moment's rest so long as he remains a party to the indifference that fails to furnish work for these men; and this all the more when after reading these pages he is forced to the conclusion that there is no reason why they should not be given work save our own ignorance or inattention.

The proofs of this monograph have been read not only by those whose prefaces are published, but also by Mr. Samuel J. Barrows,

President of the Prison Association, Dr. Orlando F. Lewis, Mr. Robert Bruere, and Mr. J. G. Hallimond. I have to thank all these gentlemen for useful suggestions.

EDMOND KELLY.

THE ELIMINATION OF THE TRAMP

CHAPTER I

THE PROBLEM

AN army of 500,000 tramps¹ of which a large percentage are boys from sixteen

¹ This figure is calculated by taking as a basis the number of tramps killed on the railroads every year and multiplying this number by the figure representing the proportion of train men killed in the year, to the total number of train men employed.

The number of trespassers killed annually on American railroads exceeds the combined total of passengers and trainmen killed annually.

Major Pangborn, representing President Murray of the Baltimore & Ohio, at the National Conference of Charities and Corrections, Minneapolis, June, 1907 (*Charities and the Commons*, p. 342) stated with deliberation that railroads frequently maintain private graveyards along their right-of-way, in which to bury vagrants killed by trains while trespassing. Twenty-five million dollars would be a conservative estimate, according to Major Pangborn, of the direct and indirect annual financial losses to railroads in the United States through railway vagrancy.

2 The Elimination of the Tramp

to twenty-one years of age,¹ all of them tending to graduate from vagrancy to crime.

Out of these, 23,964 trespassers killed and 25,236 trespassers injured between 1901-1905, most of them tramps.

Twenty-five million dollars of annual loss to railroads, viz: property destroyed by tramps, partly through accident, such as explosions of dynamite due to fires lit by tramps and direct damage by fire, partly through robbery, obstruction of tracks, interference with signals, stopping of trains, injuring and sometimes killing of employees; damages for injuries.

An immense police force, elaborate criminal and justices' courts, municipal lodging-houses, Salvation Army institutions and missions tending to increase the evil they seek to diminish.

An alarming increase of crime, the United States standing first in the record of crime among the nations of the world.

This is the problem before us.

It has been so ably treated by Dr. Orlando

¹ "Seventy-five per cent. of the tramps we catch riding on trains are boys under twenty riding round just to have a look at the country." Capt. Ladd, of the L. S. and M. S. Detective Force.

F. Lewis in pamphlets,¹ articles, and addresses that no more will be attempted in these pages than to summarise such of the facts as are necessary to explain the labour-colony system adopted in Europe for the elimination of the tramp, and to suggest some of the modifications of this system which it would be necessary to make in order to adapt it to the special conditions that prevail in America.

Singularly enough it is the two nations—England and America—in which charity is most lavish and most highly organised, that have most resolutely refused to adopt the obvious solution to this problem; and this not owing to indifference alone but to an exaggerated philosophy of self-reliance which shrinks from adopting any measure that looks like an invasion of so-called individual liberty; so that when a brother falls by the wayside we pass on the other side of the road rather than appear to humiliate him by extending a helping hand.

It may seem a contradiction in the same sentence to admit lavish expenditure of charity and to make an accusation of passing

¹ Particularly *Vagrancy in the United States*, by Orlando F. Lewis, New York, 1907.

4 The Elimination of the Tramp

on the other side; but the contradiction is not in the sentence; it is in the system. A man whose *body* breaks down we tend with the utmost care, house him in up-to-date hospitals, furnish him with the best medical advice, and provide him with a convalescent home until he is fit to work again; but the man whose *soul* breaks down, whose nervous system gets out of order, whose courage fails, who loses capacity for initiative, who, exhausted by three or four generations of overwork, is on the slightest menace of lowering prices the first to be discharged; who is sent tramping on our roads seeking new employment and either succumbs to drink on the one hand or to wanderlust on the other; the man whose disordered brain sets him wandering on the high road; the boy whom the habit of "train flipping" has seduced into "beating the railroads" in search of adventure—these so long as they can stand on their legs we either abandon or shove down the *facilis descensus* by an occasional committal for thirty days that fastens the bonds of vagabondage on them and renders them less able to find employment than before.

And yet these men who are the necessary

and innocent victims of existing conditions, who are turned out every day as surely as chaff is produced by a threshing machine, are indiscriminately confounded—not only in the mind of the public but also in that of the magistrate who has to deal with them—under the one word tramp—whether they be diligently seeking employment, innocently stealing a ride on a freight car, insanely driven by the irresistible prompting of a disordered mind, or, on the other hand, deliberately preying on the community, infesting our roads, damaging our property, assaulting our women, corrupting our youth, and breeding disease, moral and physical, through every city and hamlet in the land.

England has for years been studying this problem; sending committees to Holland, appointing committees in Parliament, printing and discussing reports of committees, and piling up a literature on the subject too bulky and bewildering to enlighten or convince. For years the Spencerian doctrine that we are doomed to perfection and must therefore not interfere with our fate prevailed; it was triumphantly pointed out that the Dutch labour colonies did not reform; that they “did

6 The Elimination of the Tramp

not pay"—as though labour colonies were intended to pay! that they pauperised—as though it were possible to pauperise a confirmed tramp!¹

But at last the problem of the unemployed became so alarming that a departmental committee was appointed in 1906 to examine the whole question *de novo* with the Right Hon. I. L. Wharton in the chair and men upon the committee as universally known as Sir William Chance. The report of this committee in three volumes is an encyclopædia of information on the subject and concludes with a unanimous vote in favour of the adoption in England of the system of labour colonies²; and if labour colonies do not exist to-day in England it is because John Burns, the President of the Local Government Board whose business it should be to institute them³ declines to do so. And yet the labour colony is the only possible solution for the tramp problem. That

¹ *The Dutch Home Labour Colonies*, by H. S. Willink, pp. 30, 31.

² *Report of the Departmental Committee on Vagrancy*, vol. i., p. 120.

³ In a speech delivered November 28th (see *London Times*, Friday, November 29th) he describes himself as the "Minister of the Unemployed" and yet he declines to adopt the only system that can effectually deal with them.

it is a solution is amply testified to by all who have sufficiently examined the question; there are no tramps either in Holland, Belgium, or Switzerland. The Belgian Minister of Justice in his Annual Report of 1898 on the Colonies of Merxplas and Wortel said: "*Le chemineau a disparu en Belgique*—the tramp has disappeared from Belgium."¹

Mr. Preston Thomas, General Inspector of the Local Government Board, made a special examination of the tramp question in Switzerland and testified to the same effect.²

But useful as is the testimony of Mr. Preston Thomas there are some vital details in the Swiss system which escaped his attention; and so although I shall freely draw on Mr. Preston Thomas' evidence and on the valuable report he submitted,³ I shall add thereto the results of my own personal examination of the colonies at Witzwyl and of a continuous

¹ *Bulletin de l'institut général psychologique*, Décembre, 1902, "La législation étrangère en ce qui concerne le vagabondage."

² *Report of the Departmental Committee on Vagrancy*, vol. iii., p. 105.

³ *Report of the Departmental Committee on Vagrancy*, vol. iii., p. 105.

8 The Elimination of the Tramp

correspondence with Mr. Kellerhals, the Director at Witzwyl and Dr. Guillaume the head of the Swiss Federal Department which has the control of these institutions.

CHAPTER II

CLASSIFICATION OF TRAMPS

OBVIOUSLY the first task before us is that of classification; but the subject of classification is so arid that the exhaustive treatment of it has been relegated to the Appendix for the benefit of those who are contented with nothing less than the most precise ideas. For the purposes of our subject we shall confine ourselves to pointing out that tramps include no less than four great groups, each of which differs from every other as much as a tattered rogue differs from a lawn-sleeved bishop:

- I. The youth under twenty-one who tramps for amusement.
This class constitutes a large per cent. of the whole tramp army.
- II. The neuropath; not necessarily sick in body but sick in mind, for whom tramping is as specific a symp-

10 The Elimination of the Tramp

tom of insanity as hallucination
or delirium tremens.

III. The remainder of the *able-bodied* tramps, who in turn should be divided into very clearly marked groups:

- (1) Those anxious to work.
- (2) Those accustomed to casual labour and willing, therefore, only to work on odd jobs.
- (3) Those not willing to work at all.
- (4) Misdemeanants.

IV. The *non-able-bodied* who again should be divided into the following:

- (1) Blameless unemployed who are unable to work through age, illness, or accident.
- (2) Unemployed whose capacity for work has been affected by drink.
 - (a) Those whose physical incapacity is temporary and who can within a reasonable time recover capacity to work upon being removed from the temptation to drink.

Classification of Tramps

11

- (b) Those whose incapacity is permanent but who are capable of being restored to physical capacity after a sufficiently long treatment.
- (c) Incurables.
- (3) Misdemeanants.

The last two groups III. and IV. are subject again to further subdivision according as their vagabondage is due to temporary or permanent causes, to industrial crises, or to incurable habits; and to a still further subdivision according as they are blameless or not.

It is important to distinguish between the able-bodied and the non-able-bodied, because the problem as regards the first is mainly a problem of finding work, whereas the problem as regards the non-able-bodied is rather a problem of fitting them for work.

It is important to distinguish between the temporary and the permanent, because the effort to secure employment for only a brief period must be of a very different character from the effort to secure employment for a long one.

12 The Elimination of the Tramp

Last but not least it is important to distinguish between the blameless and the non-blameless, because the treatment which will be justifiable in the latter case will not be justifiable in the former, and we find ourselves therefore obliged to divide our labour colonies into two corresponding classes, the Free and the Forced: It would be unjust as well as unwise to herd with battered tramps men who are unfitted for work through no fault of their own,—that is to say, through age, illness or accident—boys who have become tramps through a pure spirit of adventure, men who have been thrown out of work and are anxiously looking for employment, and that other large class of unemployed who, while appearing to belong to the genuine unemployed, have really through long continued unemployment so lost the habit of work as to be incapable of profiting by opportunities secured through exceptional and temporary relief works.

This last large class, which is deserving of pity rather than of blame, brings us to the study of the part of this question which has least been taken into consideration by practical philanthropists. In our classifica-

tion a distinction has been carefully made between able-bodied anxious to work and those who, being accustomed to casual work, are only willing to give casual service. A distinction has also been made between those who have lost physical capacity through age, illness, or accident, and those who have lost it through drunkenness. It is very difficult to determine at what moment the able-bodied working man can be blamed for lapsing into the army of casual labourers and acquiring the evil habits that result from casual employment; and it is, again, a difficult task to state at what moment a man is to be blamed for the malady of the will which brings him to a point where he prefers vagabondage and mendicity to performing any useful work at all. Again, it is difficult to say at what time a man can be blamed who, after being debilitated through overwork has recourse to drink, and being unfitted for work thereby, is driven to petty larceny and worse.

The problem presented to a magistrate by every so-called vagabond who comes before him is practically insoluble by him; and it is in great part because the problem is insoluble that we find magistrates committing for short sen-

14 The Elimination of the Tramp

tences, and thus giving rise to the "rounder" and the jail-bird.

Every long-time vagabond, whether he has become so through temperamental deficiency, through unemployment, or through drink, wears the same livery of rags: underfed, underbred, and misunderstood, he stands before the court as a misdemeanant, whereas he may be only a victim—and a victim out of whom there is practically always some and generally much useful work to be got. But whether a victim or not, he is certainly a danger to the community; the few cents he begs, borrows, or steals are spent in the public house side by side with the element of our society most subject to the contagion of vagabondage; there he relates his adventures, brags of his independence, tempts his listeners to drink, and seduces the young into sharing his fortunes; he spreads disease, physical and moral; leaves a legacy of lice to every lodging where he rests; and diligently undoes what little our compulsory education contributes to good citizenship.¹

¹ It is impossible to convey in a paragraph all the evils that result from vagabondage. They can only be gathered from actual experience or voluminous reading. Perhaps no one book serves better to illustrate the extent of the evil than Josiah Flynt's *Tramping with Tramps*, but this book

Vagabondage is a veritable University of Vice; for if the university is correctly defined as a system for the acquisition of useless knowledge, vagabondage may be defined as a system for the acquisition of unnecessary vice; we may be helpless as regards the criminal instincts that seem to be born in some men; but as regards the acquired habits that result from vagabondage we are not helpless; that our streets, highways, and lodging houses are infested by vagabonds is due to our indifference; for if American legislatures were to take the matter in hand vagabondage and all its attending evils would disappear like magic from American soil—as it has already disappeared in Holland, Belgium, and Switzerland; and not only have labour colonies rid the streets and highways of tramps in Holland and Belgium but they have done so *inexpen-*

should be supplemented by the testimony taken before the Departmental Committee on Vagrancy, particularly on the subject of the communication of disease and vermin. See *Report of the Departmental Committee on Vagrancy*, vol. ii., pp. 105, 203.

The interviews given to Dr. Reitman and published in the daily press are evidence on this subject; Doctor Reitman has acquired his experience not as Josiah Flynt did by tramping for the purpose of acquiring experience but as a bona fide tramp having become slowly infected by wanderlust through the habit of "train flipping" or stealing rides upon the trains.

16 The Elimination of the Tramp

sively in Switzerland. This it is the object of this monograph to point out; and to this end an effort will be made briefly to recapitulate the systems adopted in various countries to solve the question, point out the defects of each, and conclude in favour of the Swiss plan best developed at the colony near Neuchâtel known as Witzwyl.

There is, as a matter of fact, only one way of coming to a definite conclusion about the particular class to which a vagabond belongs, and this way is to commit him to an institution where he is obliged to work and where he is put into such human relation to the surveillants that they can exercise a wholesome influence over him if he is sensible to wholesome influence, and if not sensible to wholesome influence can subject him to the particular training his particular case may seem to require.

If, therefore, by the introduction of labour colonies the community can be relieved of the enormous expense in money and human life that attends our present tramp system without more expense than the initial cost of land and material—for tramps should themselves do the construction—and if incidentally the

youths who constitute a large per cent. of the present tramp army can be rescued and out of the remainder all who are capable of reform can be reformed; if, too, the substitution of the labour colonies for workhouses and almshouses can greatly diminish the expense and the dreariness of these institutions; if lastly they can successfully substitute the persuasion of kindness for the unkindness of coercion in the reforming of the much abused and little understood "hobo" and "bum," it seems as though the experiment ought to be tried.

Nevertheless it must be recognised that the conditions in America are different from the conditions in Europe and that important modifications will have to be made in view thereof. We shall begin therefore with an account of the European colonies as they are and the lessons to be learned therefrom and shall in a subsequent chapter discuss American conditions and the modifications which may usefully be made to the Swiss system.

CHAPTER III

LABOUR COLONIES

IN Holland, where labour colonies were originally started, there is very little effort to-day made to reform the vagabond. The scheme originally proposed by General van den Bosch included a plan of reformation by slowly spreading the population of labour colonies in homes of their own upon the land. The example set us by Holland though not beyond criticism must not be underestimated. In the first place, the merit of original initiative belongs to Holland; in the second place, Holland has demonstrated that by this system the streets and highways can be rid of tramps, and that the cost of doing so through the agency of labour colonies is relatively small.

But in two respects the Dutch colonies fall short. They are not self-supporting and they have practically abandoned the effort to reform.

In Belgium which next deserves our attention in order of time—for the labour colony system in Belgium is a direct outgrowth of the same plan in Holland—we have an institution which demonstrates the extremely valuable and even artistic work that can be got from the vagabond, and confirms the experience of Holland that at a comparatively insignificant cost vagabondage can be abolished. The remarkable institution of Merxplas is invaluable as an object-lesson. There is hardly a trade that is not represented there. The enormous buildings of which it is composed are the work of the vagabonds. They have built the gas house and the machines used on the place, including the most delicate electrical apparatus. It was among the vagabonds that were found the architects who drew up plans for the buildings, the draughtsmen who furnished the designs for their carpets, and the sculptors who modelled the statues that decorate their chapel. Every kind of weaving is done at Merxplas, from the commonest to the most perfected. Tiles, too, are manufactured there of every degree of quality and style; also waggons, buttons, bags, and a great variety of other articles.

20 The Elimination of the Tramp

Merxplas is indeed an industrial village rather than a farm colony. The farm buildings are models of cleanliness and hygiene, but the financial result therefrom is relatively small. This, perhaps, is one of the features of Merxplas which lends itself most to criticism, for we shall find when we study the colonies of Switzerland, which are practically self-supporting, that they are farms first and foremost, and the industrial element is only introduced in aid of the farm. But in criticising this feature of Merxplas account must be taken of its peculiar conditions. In the first place, it is of very great size, accommodating no less than five to six thousand inmates. Amongst these there is a very large proportion of men who cannot be described as able-bodied. Moreover, the military system of surveillance in force there creates a penitentiary atmosphere which is at once inconsistent with profitable agricultural work and inconducive to reform. It is probable that in dealing with such a large mass of men as a population of six thousand, nothing less than a military system of surveillance is possible, and that the Witzwyl system of employing as surveillants men who themselves work with

the inmates would prove inadequate. Suffice it to say here that once the mistake is made of creating a farm colony of so large a population as six thousand, military surveillance is probably indispensable, and with military surveillance comes the inevitable consequence that discipline is substituted for reformation and compulsion for co-operation. Nevertheless it is but fair to state that there is at Merxplas an admirable system for rewarding the colonists for good work by the distribution of tokens, which enable them to purchase tobacco, coffee, chocolate, and other delicacies at the canteen. The impression produced by Merxplas is that it is as perfectly conducted a penal and industrial settlement as is consistent with its nature and size, and that all the features open to criticism are the necessary result of these. For example, although the opinion largely prevails that manufacture is more profitable than agriculture, on a careful examination of the subject it will be found that while land is a difficult thing from which to derive income, it is an easy thing from which to derive nourishment, and thus agriculture is better suited to a colony of tramps than manu-

22 The Elimination of the Tramp

facture. To make money out of manufacture it is essential that the labour employed be skilled, whereas it is possible to get a livelihood out of land with labour that is unskilled. Tramp labour will always be in part unskilled. Agriculture, therefore, is better suited to tramp colonies than manufacture.

Again, a tramp colony which is essentially agricultural and only secondarily industrial has the great advantage that it eliminates the competition with existing industries and free labour that all along has prevented the working man from giving an unbiassed study to this question. Thus the Swiss colonies can be said not to compete at all with either free industry or free labour, whereas at Merxplas, although the authorities have endeavoured to confine their industries as much as possible to things which would not compete, they have, nevertheless, been led by the desire to reduce expenses into hiring out their labour to contractors: as for example, in the manufacture of buttons. It is inevitable that wherever the industrial element predominates over the agricultural there will be a temptation to sacrifice reform to finance, whereas where the agricul-

tural feature predominates over the industrial, this temptation is eliminated.

It is probable that no American will visit Merxplas without deciding that in the first place its success as an industrial establishment, with no better material than the refuse of the population, is an immense tribute to the intelligence, patience, and skill of its Director, Mr. Louis Stroobant, but that notwithstanding this success, it is not an institution which it would be desirable to transplant into America. The hiring out of labour by contract, the large production of articles that compete with the products of free labour, the presence, although in a separate wing, of such vicious persons as *souteneurs*, will discredit the institution to an American critic. Merxplas therefore must be regarded as of value in demonstrating how much work can be obtained from the labour of tramps, but at the same time as furnishing a warning against the creation in America of large industrial villages when small farm colonies are equally available.

Germany can contribute little of interest to the American student, for although there are many admirable labour colonies there—

24 The Elimination of the Tramp

and indeed the one at Lühlerheim must be reckoned one of the best intentioned in the world—the colony system is grafted upon a way-station system (*Herbergen*) supported by private philanthropy, which is believed by many to increase vagabondage rather than suppress it,¹ and so far they have not succeeded in paying their expenses or to any material extent reforming their inmates.

It is to Switzerland therefore, that we at last come for a final word upon this subject.

Mr. Preston Thomas begins his report already alluded to as to the methods of dealing with vagrancy in Switzerland by stating that the exact extent of the diminution of mendicity in Switzerland “cannot be shown from statistics, for they do not exist; but it is generally admitted.” He proceeds to compare the conditions which prevail in Italy, where it is impossible to take a walk without being pestered for alms at every turn, with the cessation of all such importunity “as soon as the Swiss frontier is crossed.” Nevertheless, however true this may be of most of the

¹ *Report of the Departmental Committee on Vagrancy*, Q 3843. Paying travellers in the *Herbergen* increased from 1899 to 1902 by about one-third and *non-paying* by two-thirds.

cantons of Switzerland, the fact that every canton has the making and execution of its own laws on the subject makes it impossible to lay down any general rule applicable to the whole country. For the purposes of this monograph, therefore, the word Switzerland will be used to refer only to the cantons of Switzerland in which the laws regarding vagrancy are of the latest type.

These laws begin by separating the genuine unemployed from the thieves, loafers, and ne'er-do-wells who render this question so complicated in America. This is done by a system of travellers' relief book, issued by the Swiss Intercantonal Union, which includes fourteen out of the twenty-two cantons of which Switzerland is composed. This travellers' relief book sets forth all the facts necessary to identify and certify to the good faith of its owner, and the possession of this book is sufficient to permit its owner to travel through the fourteen cantons above mentioned without any work whatever being exacted from him.¹

¹ Admirable though be the system of travellers' relief books, it is by no means certain that the plan would find favour in America. The travellers' relief book corresponds very closely to what was known as the *livret* required by

26 The Elimination of the Tramp

In this respect the Swiss system differs from the German under which the wayfarer is required to perform two hours' work to help pay for his food and lodging. It is to the obvious advantage of the whole community that every man be employed, that is to say, be engaged in the work of production, in order that he may contribute his quota of production to make up for what he consumes. Even,

French law under the Empire. This *livret* was strongly objected to by the French working men, for it was used by the employers as a method for blacklisting their discharged employees.

In 1890 the *livret* was abolished and there was substituted for it an obligation on the part of every employer to certify the date on which the working man in question entered his employment and the date on which he left it. It is probable that the American working man would have the same objection to the travellers' relief book as the French working man had to the *livret*, and it is probable also that a certificate which confined itself to a statement of the dates upon which the employee entered and left would suffice, particularly if coupled with some such method of identification as the finger-print. But by investigating and recording every questionable certificate, even the finger-print would be superfluous, and as it savours of the police it ought to be avoided if possible.

The Swiss system of way stations must not be confounded with the German *Herbergen*. These last, because managed by private charity, can hardly exercise the scrutiny which seems indispensable with a view to discriminating the tramp from the unemployed. The result of this is that the tramp profits by a system intended only for the unemployed, and vagabondage increases rather than diminishes in consequence.

therefore, if there were no mercy in our hearts for the genuine unemployed, it would be an act of wise administration to provide the genuine unemployed with permanent work at the earliest possible moment. The sooner he gets this permanent work the better, not only for him, but for the entire community. The fitful work done by the genuine unemployed during two hours per day would but little diminish the cost of maintaining the wayfarer, whereas it would sensibly increase the difficulty of finding a new place. It would probably cost as much to provide two hours' work for the wayfarer as the work he could do would pay for. The Swiss plan, therefore, of making the wayfarer system as simple as possible and hurrying the unemployed rapidly to permanent work seems preferable to the plan in force in Germany.

Having by this travellers' relief book given every genuine unemployed a method of proving his good faith, *all* other vagrants are committed to institutions so that they can no longer complicate the unemployed problem and infest the public highways. This method of treatment may seem harsh to those who persist in misunderstanding the nature of the

28 The Elimination of the Tramp

labour colony. So long as it is believed to represent a system of punishment, committal to a labour colony is hardly to be distinguished from committal to prison. If, however, the labour colony is recognised not to be a place of imprisonment at all, but on the contrary a home where the indigent can be cared for, provided with work, and given habits of work that, when he is capable of acquiring them, will fit him once more for social life, committal to a labour colony, instead of being regarded as a hardship or an infraction of personal liberty, will be recognised as constituting a salutary system instigated by justice to the indigent and above all as a system of social defence against all the evil, the crime, and the misery that result from existing conditions.

Again such a home should not be regarded as either a charity or a correction; some contend that it represents a public obligation: civilisation has taken from men the right to hunt for food, to pluck the fruits of the earth, to avail themselves of the *natural* methods for securing sustenance; it has substituted in most respects a better plan which secures for the vast majority a higher

standard of living than could be obtained in a natural state; but the system breaks down at certain points all the time and at all points in occasional crises; it seems to be the duty therefore of the system to provide food and shelter for its innocent victims.

Here we find the usefulness of the classification already made according to culpability and the necessity of distinguishing between the thieves, loafers, and ne'er-do-wells and those who are unfitted for work through no fault of their own—that is to say through age, illness, or accident. The Swiss have recognised the importance of this classification by creating two kinds of labour colonies, essentially different from one another: the so-called forced labour colonies or *Zwangsarbeits-Anstalten* to which are committed all culpable vagrants; and free labour colonies, the doors of which are open to all indigent persons who are not culpable.

It has already been pointed out that it is impossible for a magistrate to distinguish between the culpable and the non-culpable with such slender information as can be produced when a "homeless" is brought before him for sentence, and that it is the impossibility of

30 The Elimination of the Tramp

coming to a determination on this essential question which has brought about the magisterial habit of committing all vagrants to the workhouse for a short, expensive, and ineffectual term. The two classes of labour colonies established in Switzerland make it possible for a magistrate at once to assign all vagrants who come before him to one or other of them, leaving the ultimate disposition of the vagrant to depend upon his conduct in the labour colony itself. The magistrate must often regret having to punish a vagrant at all; punishment is unjust to the blameless vagrant and injurious to the body politic, for by punishing a blameless vagrant with imprisonment, the magistrate has given him the first push over the fatal slope to pauperism or crime from which he is not likely to recover. The existence, however, of two kinds of labour colonies, one of which is free and constitutes a home where the unfortunate can be cared for, and given such work as he can accomplish, makes it possible for the magistrate to dispose of *all* cases at once, and thereby clear the streets and highways of *all* the unemployed, blameless and not blameless, that now infest them in America. Obviously under

such a system magistrates will commit vagrants not otherwise guilty of misdemeanour or crime to the free colony, relying upon the director's applying to the court for transfer to the forced labour colony, should occasion subsequently arise therefor. In this fashion no disgrace ought to attach to such committal, and some better word than committal should be found for such cases.¹ Magistrates will thus be relieved of the intolerable difficulty under which they now labour in dealing with vagrancy cases; they can dispose of them *all*; the genuine unemployed ought never to come before them; if they do their place is the wayside station and not the labour colony; the incorrigible rogues go to the forced labour colony, and *all the rest* to the free.

The advantage of this system ought not to need comment; it is the only way of taking the vagrant off the street and highroad; but there is an incidental advantage which cannot be too strongly insisted on. The *Report of the Departmental Committee* repeats the

¹ An attempt to leave the free colony without the consent of the director ought to constitute an offence punishable by committal to the forced colony.

32 The Elimination of the Tramp

experience of all those who have for the last century dealt with this subject: that *vagrancy is kept alive by indiscriminate almsgiving and such charities as shelters, soup kitchens, etc.* Mr. Preston Thomas intimates that vagrants have disappeared from Swiss highways because it is a misdemeanour under Swiss law to give alms. It is probable that in this one point Mr. Preston Thomas is mistaken. The giving of alms is not a misdemeanour in Holland nor in that "classic ground of poverty" Belgium, and yet there are no vagrants to be seen on the streets or highways of either of these countries. *Almsgiving is the necessary result of vagrancy*—not vagrancy the result of almsgiving; the evils undoubtedly react on one another, but so long as there are merciful hearts in America the aspect of a shivering or hungry tramp will draw money from a well-filled pocket; it will even draw money from the ill-filled pocket of a working man—and all honour to the working man that it is so. To make it a misdemeanour to relieve want, would be a crime, *unless*, as in Switzerland, *every* case of want is provided for. This is exactly what the Swiss system of two-fold labour colonies

accomplishes. But to make almsgiving a misdemeanour is totally unnecessary if the Swiss system is introduced: for the introduction of it will remove all temptation; there will be no one left upon whom the injury of almsgiving can be inflicted.

CHAPTER IV

SWISS LABOUR COLONIES

THERE are a great many labour colonies in Switzerland, but attention will be directed only to one pair of them, which adjoin each other at Witzwyl and Tannenhof respectively, situated between Lake Neuchâtel and Lake de Bienne.

The colony of Witzwyl is a forced labour colony instituted by the canton of Berne. The colony at Tannenhof is a free colony started by individual philanthropists. These two colonies had separate directors until the increasing expense of Tannenhof and the diminishing expense of Witzwyl induced the board of directors of the Tannenhof institution to offer the directorship of the Tannenhof colony to Mr. Otto Kellerhals, who had succeeded in making the colony of Witzwyl self-supporting. They are now, therefore, both under the same direction. These colonies are both of them small. On the 31st of December,

1906, there were 156 inmates at Witzwyl, and thirty-nine at Tannenhof. Both these colonies are essentially agricultural colonies, and although there are workshops, they are purely secondary, the object of them being to utilise the services of those who are specially fitted for industrial work, those who are unfitted for agricultural work, and even the agricultural labourers during that part of the day and the season in which it is impossible to work in the fields. The first thing that strikes the visitor at Witzwyl is the absence of all those features which render Merxplas attractive. The roads are not kept like the carriage drive of a private park; the borders are not machine-mown and rolled, nor are the hedges trimmed like those of a suburban villa. The inmates do not work in squads, and the surveillants are not armed, nor is there the atmosphere of military discipline and order which characterises the Belgian institution. Nevertheless, the roads, though inelegant, are good farm roads, the buildings are sound farm buildings; the surveillants are hardly distinguishable from the inmates, and work with them. To this last feature the director attaches great and merited importance. As

36 The Elimination of the Tramp

he says in his report of 1904, by working with the men "it is easier to gain their confidence than by polished discourse in an office kept warm in the winter and fresh in the summer, where the inmate will never be able to rid himself of the impression that his superior has no idea of the difficulties he has to overcome nor of the hardship of the work he is called upon to undergo." Moreover, the surveillants, by working with the inmates, not only earn their wages but serve by their example to create the moral atmosphere indispensable for the success of such an institution.

The nourishment is not only sufficient but strengthening. The director states that good nourishment is the best means for curing drunkards and those who have fallen into a condition of physical degeneration.

There are very few escapes: from two to five per annum. There are two surveillants for ten to twelve inmates at Witzwyl. Every inmate has a cell of his own, which is locked upon him at night. These cells are lit by electricity, and the inmates are encouraged to decorate them so as to give them as homelike an appearance as possible. The walls of some of them are covered with pictures cut

from newspapers, bits of carved wood, family photographs, evergreens, rushes, and other inexpensive methods of decoration. Conversation is not forbidden during work-time, but the presence of a surveillant keeps it free from the evils which penitentiary conversation is likely to involve. There are punishment cells which are similar to the other cells except that a plank is substituted for a bed. Months often pass without using these cells, and then, again, it is sometimes necessary to use them two or three times in a single month. Inmates who do not yield to the good influence of the place are brought by the director before a magistrate, and sent to a penitentiary. Those inmates who are deserving get Fr. 5 (about one dollar) a month for their work.

These are the financial results of the year 1905:

The proceeds of the workshop	
amounted to.....	Fr. 12,202.00
Proceeds of agriculture.....	140,549.41

After having paid all their expenses there remained a deficit of Fr. 19,957.95. But the inmates during the year added the following improvements:

38 The Elimination of the Tramp

A shed at Lindenhof.....	Fr. 11,800.00
A stable for cows.....	40,200.00
Installation of electricity at Eschen-	
hof.....	7,000.00
Installation of water-pipe.....	4,500.00
Increase in machinery, tools, etc...	43,573.45
	<hr/>
	Fr. 107,073.45

Deducting from this sum the deficit of Fr. 19,957.95 which was furnished by the State, the balance shows a profit of Fr. 87,115.50 represented by new buildings, machines, tools, and improvements.

This excellent financial result is due to the fact that the director is a skilled farmer. Witzwyl, before it was purchased by the canton of Berne, was exploited by a company at a loss so great that the company failed, and it was put up at public auction. Mr. Kellerhals, by the application to this domain of sound agricultural methods, has made it pay. It cannot be too often repeated that the colony is agricultural rather than industrial. It will be seen that the proceeds for agriculture for 1905 amounted to Fr. 140,549.41, whereas those from the workshops amounted only to Fr. 12,202. The expenses of sur-

veillance disappear in view of the fact that the surveillants earn their salary by working with the inmates.

But this is not all. This colony not only manages to pay its expenses, but also, by a very simple method, reforms all those capable of reformation. The inmates are offered at the expiration of their term the choice of working for a period at the free colony of Tannenhof or of working in some of the numerous small colonies which the director is engaged in instituting around Witzwyl. This is perhaps the feature of Witzwyl which is most worthy of our consideration. It represents the natural growth of such an institution as Witzwyl and Tannenhof under the direction of a man who is as much concerned with reforming his inmates as with making the institution pay. Tannenhof includes not only vagrants but also indigent persons of the canton who are unfitted by age, illness, or accident from earning their bread in the open market. The tariff of wages given at Tannenhof is therefore low, and able-bodied inmates of Witzwyl are unwilling to work at Tannenhof on account of the low rate of wages prevailing there. This suggested to the

40 The Elimination of the Tramp

director the idea of organising around Witzwyl small colonies to which the able-bodied inmates of Witzwyl could be sent after the expiration of their term and where they could be at once employed at a fair salary, and removed from the temptation to drink. There have sprung around Witzwyl therefore such colonies as Nusschhof, Neuerhof, Eschenhof, and Birkenhof, where the inmates of Witzwyl at the expiration of their term can not only save money but be gradually prepared for restoration to the open labour market. In the Appendix will be found a form of contract which is signed by these inmates at the expiration of their term in the forced colony whereby they agree to work for a fixed term. At these sub-colonies the inmates eat with their employers. They are allowed to smoke; they have good nourishment; they are not confined in their cells, and they generally come to such a good understanding with the managers that after departure they often return on a friendly visit. The director has even, in a very small way, begun reconstituting scattered families by furnishing them with a cottage for which they pay Fr.80 (about sixteen dollars) rent a year, by em-

ploying them on the colony and by furnishing to their wives and children lodging for a cow and ground enough to cultivate vegetables. This part of the experiment is comparatively new, but the director states that already some families are in a position which has made it possible for them not only to support themselves but also to begin to put away money.

The sub-colonies above referred to derive their names from the character of the trees planted around the buildings. Thus Nussshof derives its name from the walnut tree, Birkenhof from the birch, Eschenhof from the ash. The same rate of wages does not prevail in all of them or for every inmate, but at Nussshof they generally receive Fr. 40 a month in addition to their board and lodging. One of the inmates there at this time has been convicted over fifty times for vagabondage; after having served his time at Witzwyl he himself asked to go to Nussshof, and he has already saved there over four hundred francs.

It seems unnecessary to enter into any extensive description of Tannenhof. The cellular system of course does not prevail. It is an establishment where an effort is made to get the most work out of the inmates con-

42 The Elimination of the Tramp

sistent with their physical condition. Of course Tannenhof does not pay its expenses; it cannot be expected to do so in view of the character of its inmates. There is one feature, however, about Tannenhof which ought not to be lost sight of: practically all the inmates do some work; the old men drive carts, care for cattle, do light gardening, pick vegetables; and it is the experience of the director that they are much happier when so engaged than when allowed to remain idle. The same is true of the women, who practically all help in domestic work.

As has already been stated, there are many other colonies of this kind in Switzerland; one, situated in the canton of Appenzell, also practically meets its expenses, but Witzwyl is the only one which is surrounded by such sub-colonies as Nusschhof, Neuerhof, etc., and in this respect Switzerland offers an example which no country that is contemplating the institution of labour colonies can afford to neglect. The fact, however, that although all the Swiss labour colonies do not make their expenses, they are run upon a much cheaper plan than at Merxplas, seems to prove that a small agricultural colony

can be run at a smaller expense than a large industrial one. Again, the juxtaposition of free and forced labour colonies under the same director permits of the transfer of inmates from one to the other with the least possible difficulty and friction. It would of course not do to leave such transfer entirely to the discretion of the director; he should in every case be required to bring the matter before a magistrate, and whenever it is suggested to transfer an inmate from a free to a forced labour colony, the inmate ought to have counsel assigned to him upon such a proceeding, if he desires it. The same thing applies to the transfer of an inmate from a forced labour colony to a penitentiary. On the other hand, all the inmates of a penitentiary ought to serve an apprenticeship in a forced labour colony, and through some such sub-colony as Nussdorf become gradually fitted for return to normal conditions.

The advantages of small agricultural over large industrial colonies may be summarized as follows:

1. They render possible a daily contact of the director and the surveillants with the inmates, and, as a consequence, permit of

44 The Elimination of the Tramp

a reforming influence impossible in a large colony.

2. Agricultural colonies run along the lines of Witzwyl do not compete with free labour. It has been objected that they might do so. It is obvious that if a labour colony were set down in the midst of a suburb devoted to market gardening, the products of such a labour colony would interfere with free labour. The institution of such a colony in such a place is to be severely deprecated. It would be unwise to organise such a colony in such a place not only out of regard for free labour, but also out of regard for the institution itself. Such an institution, unless under exceptional circumstances, ought to be established in a neighbourhood not already devoted to market gardening and preferably upon ground that needs the application of extraordinary human effort and human art to make it valuable. It is one of the advantages that labour colonies offer that the very ground which is unfitted for free labour is eminently fitted for institutional labour. It is seldom profitable to apply free labour to the reclamation of bad land, for the obvious reason that free labour is expensive. When, however,

labour is cheap, as in labour colonies, it can be safely applied to the reclamation of waste land, and furnishes the additional advantage to the community of reforming not only the land but the labourer also. Forced labour ought to be applied to reclaiming land, free and reformed labour to tilling the land reclaimed. The application of waste labour to waste land reforms the one and reclaims the other.

The problem how to avoid injurious competition with free labour is essentially a local one and can only be solved by every colony for itself. At Witzwyl it is solved by selling produce not in the neighbourhood but by contract with distant hotels, and by growing beetroots, which competes with French and not with Swiss farmers who do not grow them. In America the same thing could be accomplished either by selling in large or distant markets, or growing produce not grown in the neighbourhood.

Applying the foregoing to concrete cases: it would be unfair to establish a large labour colony engaged in truck farming close to a small market such as that of Paterson, New Jersey, for a large institutional truck farm

46 The Elimination of the Tramp

close to so small a market would prejudice the small gardeners around it; but it could injure no one to establish such a colony near New York, for the market of New York is large enough to take the produce of such a colony without materially affecting any of the other truck farms in the neighbourhood.

On the other hand, if it *were* necessary to establish such a colony near so small a market as that of Paterson, the sale of its products could be made in New York and not in Paterson, and thus avoid sensible competition with the free labour round Paterson.

The products of factories will not be allowed to compete injuriously with free labour, for they will be applied to the needs of State institutions only and will not go into the market at all. By subordinating factories to agriculture there will be no fear that factory products will be made in such abundance as to transcend the needs of State institutions.

3. The system of small agricultural colonies, as, for example, one for every county, would allow the specialisation of certain industries in certain colonies and the distribution of the inmates in such a manner as to

give to every inmate the work for which he was best fitted. Thus, instead of having many cotton mills in different colonies, it would be preferable to have only one cotton mill to which all cotton operatives could be directed; the same for shoemaking, clockwork, etc. It must not be forgotten that a man accustomed to such delicate work as clock- or watch-making is rendered incapable of such work if he loses the delicacy of his fingering by being put to heavy agricultural labour. Consequently, in order to derive the greatest advantage possible from the work of the inmates, it is wise to give to each the work to which he has been accustomed. Therefore instead of building industrial towns such as the one at Merxplas, it would be preferable to institute a series of small agricultural colonies, each one of which would have an industry peculiar to itself. It would not do, however, to carry out this system too rigorously, for in certain cases it would be indispensable to have more than one industry in the same colony. But this would not prevent such a specialisation of certain industries in certain colonies as would best secure the most profitable results.

48 The Elimination of the Tramp

Generally speaking, therefore, the following conclusions may be arrived at:

1. It is preferable to create several small agricultural colonies rather than a few large ones.
2. It is advisable to specialise industries in the colonies best fitted therefor.
3. A free colony ought to be instituted by the side of every forced colony, in order to facilitate the transfer of the inmates from one colony to the other. This plan would permit the magistrate to commit *every* case of vagrancy that came before him to a labour colony. It would relieve him of the necessity of determining whether the case be one to which blame should be attached or not—a thing which, in view of the deficiency of evidence before him, it is impossible for him to do, whereas, on the contrary, it would permit of a proper classification within the colonies after all the information had been secured that would ensure such classification being correct and just.
4. A sufficiently large amount of land ought to be secured at once to enable the slow growth round the central colony of sub-colonies, which will gradually prepare the inmates for normal social conditions.

5. No permanent building should be constructed in advance. The system ought to come in operation early in the spring so as to enable the inmates to occupy temporary cabins and build their own buildings.

6. Every colony ought to have at its head a skilled farmer.

7. Surveillants ought to work together with the inmates.

To these general principles it may be well to add one or two supplementary observations.

There does not seem to be at Witzwyl the system of reward which is such an excellent feature of the colony at Merxplas, and there seems no reason why this excellent provision should not be borrowed from the Belgian Institution. Moreover, it ought to be possible to give the inmates of every colony a direct interest in its prosperity by creating separate tables to which a different dietary would be applied, the best furnished tables being offered as a reward for the best work. Such a system would give to every inmate a direct interest in the growth of vegetables, fruit, and all such things as give variety to food.

Again, there is no reason why the unfortu-

50 The Elimination of the Tramp

nate aged should any longer be sequestered as they now are in asylums, when they can just as well form a part of free colonies where they will have the benefit of social life and can still render considerable service.

CHAPTER V

APPLICATION OF THE CONTINENTAL SYSTEM OF LABOUR COLONIES TO AMERICA

VAGABONDAGE in the United States differs from vagabondage in Europe in one important point: a large per cent. of our tramps are boys; and they are not driven to tramping by unemployment or mental disorder, but seduced into it by the facility with which they can get free rides on trains and food and lodging from police and municipal lodging houses, wayfarers' lodges, Salvation Army institutions, relief societies, and Church missions. In other words, it is the very machinery created by charity to relieve distress that becomes an instrument for promoting it.

The habit of "train flipping"—that is to say, stealing a ride for a few blocks and dropping off, as boys steal rides on the back of a waggon, for pure fun, is the beginning of it. Once on a train the ride lengthens until the boy conceives the idea of seeing something of the world; he

52 The Elimination of the Tramp

is indeed sometimes carried farther than he intends; he travels all night; next morning he is confronted with the problem of breakfast; if he gets it easily, he is encouraged to go farther; if he cannot get it easily, he is reduced to the alternative of either begging or stealing; once he begs or steals successfully, he has developed the embryo of the tramp or the criminal; if his efforts fail, he is committed to jail and either loses his self-respect or if it is not lost, it prevents his returning home.

It must not be imagined, however, that all these boys remain tramps all their lives. Doctor Reitman estimates that at least fifty per cent. of them get tired of the life and either return home or settle down to some regular occupation. Obviously therefore these boys can most of them be reformed if the reformatory influence is promptly, properly, and above all humanely exercised.

The railroads are heavy losers by this juvenile spirit of adventure and are anxious to have it stopped, but they find two difficulties in their way:

First, these youths are for the most part innocent of intentional wrong-doing; the trainmen are good-natured and fail to comply with

orders to prevent stealing rides on freight cars, because they see no harm in it.

Secondly, the law against vagabondage is nowhere enforced, for much the same reason: magistrates too are good-natured and are unwilling to commit a boy for no greater crime than wandering in search of adventure. Obviously therefore some form of coercion must be devised by which the boy tramp will be restored to his home without the disgrace attending committal to jail or even to a forced colony. The free colony as instituted in Switzerland does not supply our need, for there is not in the free colony the coercion necessary to prevent the boys leaving the colony as soon as their immediate wants are satisfied.

This boy-tramp problem is complicated by the fact that he is often driven by need to steal; and becomes what the English call a juvenile depredator.

In England and in most of our States, youths under the age of sixteen, who have committed misdemeanours are provided for in industrial schools and reformatories, but over the age of sixteen they are imprisoned for begging and sleeping out, although it is probable that in many cases the act of begging

54 The Elimination of the Tramp

and sleeping out is one for which the delinquent is entirely blameless. This system was condemned as long ago as 1836 in a special report on the juvenile depredator, issued by the Commission of Prisons in that year.¹ The increase in these convictions of late years in Great Britain is alarming. In 1900 the total convictions of juvenile adults in England and Wales was 742; in 1901, 863; in 1902, 1,016; in 1903, 1,147; in 1904, 1,390,—over thirty-five per cent. of the prisoners serving sentences of three months and upwards. On May 10, 1906, at Pentonville, thirty-five per cent. of the inmates were under twenty-one when their first offence was committed; at Durham forty-one, Birmingham fifty-seven, Liverpool forty-seven, Manchester forty-five per cent. The Commissioners of Prisons in 1895 reported over 16,000 lads under twenty-one as having passed through British prisons in the previous year. It is true that the so-called Borstal system has been applied to all cases of over twelve months' imprisonment, so far with excellent results. The Borstal system is nothing more nor less than the forced labour colony system, except that it is conducted in

¹ "The Making of the Criminal," by Russell and Rigby.

Labour Colonies Applied to America 55

a prison and through industrial work instead of being conducted in a farm colony through agricultural work. The system began in 1902. Out of 76 lads who passed into the care of the Association in the year ending May 31, 1905, a wholly satisfactory account was given of thirty-six. Of eighty-one dealt with in the following ten months, forty, at the time of the issue of the Report, "were known to be at work, mostly good work; nine had gone home to work in the provinces; six were on hand; six had disappeared; four were given up as they would not co-operate with the Society, and sixteen had been re-convicted."

Without entering at the present time particularly into the Borstal system, it suffices to say that the discipline is probably too severe and expensive, although the fact that rewards have been largely substituted for punishment has demonstrated the advantage of this plan. Obviously what has been done in the prisons by the Borstal system can be done better and cheaper in the labour colonies by the methods hereafter to be discussed.

Now the problem how to deal with the tramp so as neither to humiliate him by committal to a forced colony, nor to leave him

56 The Elimination of the Tramp

free to leave the free colony whenever he wants, is not confined to boys: many innocent unemployed have wandered on the highway long enough to have acquired the tramp habit, which must be exorcised before they can be safely returned to the competitive mill. The same is true of those who because they have been reduced to taking casual jobs have lost the habit of regular work, and regular work must in a measure be imposed upon them until they have lost the desultory disposition that makes them willing to work for two hours but not for eight. Neither of these types is undeserving; neither of them should be submitted to the disgrace of committal, and yet both are undoubtedly in need of more than mere moral suasion.

Finally, it is indispensable if the tramp problem is to be dealt with effectually, that we should have a system by means of which it will be easy to distinguish the unemployed—that is to say, the man dismissed from employment for purely industrial reasons—from the unemployable—that is to say, the man unfitted for employment through boyishness, bad habits or temperamental defect. But before proposing such a system, it is well to

explain how the Swiss labour colony plan should be modified to meet the exigencies of American conditions.

§ 1. *Proposed modification of the Swiss labour colony plan.*

At the present time, a magistrate in Switzerland seems to have no alternative beyond committing a vagrant to a forced colony, or if he seems innocent, offering to him the hospitality of a free colony. As has been explained above, neither a committal to a forced colony nor an invitation to a free colony seems applicable to the boy tramp; the one puts upon him an unnecessary disgrace, and the other does not submit him to a necessary coercion.

The suggestion will naturally occur to us that in a *free* labour colony, coercion properly so-called cannot be exercised, and yet this is not altogether true. A leaf may be taken from the experience of the sanitariums which are now dotted all over the world, to which nervously disordered patients are sent, who are not sufficiently disordered to be confined to a lunatic asylum, nor yet sufficiently sane to be free

58 The Elimination of the Tramp

of their actions. In other words there are many patients who in their nervous disorders correspond closely to the boy tramp. They need treatment, and yet they are not always sufficiently aware of their disorder to be willing to undergo a treatment of sufficient length to effect a cure. Sanitariums, such as, for example, that of Doctor Sollier at Boulogne, are so contrived that the inmate once persuaded to enter the establishment finds it extremely difficult to leave it. If he grows restive and wants to leave, he is persuaded to remain until consultation can be had with his physician. If he makes an effort to leave without the consent of the attendants, he finds obstacles in the shape of closed doors, and yet doors not so closed as to constitute a prison, but rather doors closed as is usual in large European country places—that is to say, the entrance gate is locked and kept locked, and only opened by a janitor selected for his discretion and tact. By this method patients are often retained long enough to effect a cure, though they regularly and sometimes impatiently demand to be allowed to return home.

This method cannot be exactly followed

in a free labour colony, but the following device is suggested as comparable with it and even still more effectual.

It is suggested that a law to be passed for the purpose of dealing with this question shall leave the magistrate free either to commit to a forced labour colony or to suggest to the vagrant that he sign a two months' contract with a free colony.

Should the vagrant decline to sign a two months' contract, there will then be no alternative but to commit him to a forced labour colony. It is probable that when such a law first comes into operation, committals to the forced labour colony will outnumber committals to the free because vagrants will decline to sign a two months' contract; but it can reasonably be expected that, when the law has been in operation for a few months, vagrants will get to understand the great difference that exists between a free and a forced labour colony, and, whenever the option is given to them, will sign a two months' contract. When the vagrant is clearly blameless, a two months' contract with a free labour colony is clearly the best solution, but when the magistrate has reason to doubt the

60 The Elimination of the Tramp

entire innocence of the vagrant, he ought to have the right—it ought to be his duty—to commit him to the free labour colony “under surveillance.” Now, committal under surveillance will put the vagrant in the free colonies under very much the same conditions as the patient in a sanitarium. The entrance gate will be kept closed; the janitor will be instructed not to open the gates to inmates for egress without a written permit from the Director. An inmate under surveillance will not be given work in unguarded quarters, but will, on the contrary, be given work either in a closed factory or in a closed vegetable garden.

Further, every inmate will be given, upon entering the establishment, a suit of clothes. These clothes will have nothing sufficiently distinctive to attract attention. On the contrary, they will consist of such overalls as are usually used by farm labourers; but there will be interwoven in the stuff a thread, too inconspicuous to be visible except upon close inspection, but sufficiently clear to distinguish them from those worn by farm labourers. This is resorted to at Witzwyl where the clothes of the inmates are those habitually

used by Swiss guides—a sort of brown wool-
len material in which a white thread is woven
in the manner suggested. It is quite im-
possible to perceive it except upon close
inspection.

Now the object of furnishing the inmates
with such a suit of clothes is twofold: In
the first place, it permits of the clothes of the
inmates being cleaned and disinfected—some-
times a very necessary precaution; in the
second place, it converts the inmate who
leaves the institution without the consent of
the Director or the authorities, into a misde-
meanant, for by so doing he has been guilty of
petty larceny: he has stolen a suit of clothes.
This is brought home to him when he is given
the garments by a simple reminder that the
garments are the property of the institution,
not his own, and an explanation that his own
clothes will be restored to him upon his with-
drawal from the same. No disgrace will at-
tach to the wearing of these clothes, because
the white thread in them is not sufficiently
conspicuous to attract attention in the first
place and in the second place because they are
worn by all the members of the free colonies,
whether under surveillance or not.

62 The Elimination of the Tramp

§ 2. *What will be the general aspect of a proposed labour colony?*

It will be divided as at Witzwyl into two totally different institutions, the inmates of which will be kept strictly apart: at Witzwyl the forced labour colony is on the left and the free labour colony on the right. Every inmate of the forced labour colony will have his cell, well-lit and comfortable, but in which he will be enclosed every night. He will be encouraged to make his cell attractive and will be furnished with books from the library and such periodical literature as is fit for him to read. In the day time he will work in the open fields, attended by wardens who will work with him and thus serve the useful purpose of not only directing the work but sharing in it, influencing the conversation, and acquiring the confidence that can only be secured by companionship.

On the right will be the free labour colony where all the inmates, save those under surveillance, will be under no restraint whatever except that of their contract and the wearing of a suit of clothes that belongs to the institution and not to themselves. They will work in the open fields without the

Labour Colonies Applied to America 63

attendance of wardens except the very few that will be necessary to direct their work. Midway, however, between the fields and factories in which the forced labour colonists will be working always under the eye and in co-operation with wardens, and the fields and factories in which, on the contrary, the free labour colonists will be working without the attendance of wardens save those who direct their work, there will be a comparatively smaller area in which colonists under surveillance will be put to work, either in factories or in closed vegetable gardens, with just enough wardens to keep them under surveillance and yet not enough to give them a sense of the surveillance.

We are now in a position to consider how the task of the magistrate will be simplified by such a system of labour colonies, but before examining this, it is indispensable to point out the necessity of separating the unemployed—that is to say the man who has lost employment for purely industrial reasons and is anxious to find employment—from the unemployable that is to say the man who is without employment through

64 The Elimination of the Tramp

boyishness, bad habits, or temperamental defect.

§ 3. *Separation of the unemployed from the unemployable.*

The English Departmental Committee's report is in favour of the adoption in England of some such plan as exists in Germany or Switzerland to this end. It has already been pointed out that the system which exists in Europe is by no means a satisfactory one: the unemployed is called upon to produce too much in the way of papers. It is repugnant to our American sense of individual liberty that workers should be treated as a special class and called upon to produce documents which not only may be used for preventing them from getting employment, as the *livret* was, but are of a nature to diminish their self-respect. All that it seems necessary to exact from the unemployed is a statement from his last employer as to the time when he entered his employment and the time when he left it. The French law obliges the employer to furnish this statement to a discharged employee, and it suffices for all practical purposes. Whatever be the authorities before whom an

Labour Colonies Applied to America 65

unemployed presents himself, such a certificate furnishes the information necessary to determine his past history, for a working man is expected to keep in his possession certificates from employers extending over a given time, for example, over at least two or three years, so that in case he has changed employment his character during that period can be investigated. If he fails to give certificates extending over this time, or information regarding his employment during this time, his case is evidently one requiring investigation, and he should be taken before a magistrate and put into a free labour colony under surveillance. If, on the other hand, he furnishes such certificates, he is *prima facie* entitled to all the help the community can give him to find new employment. He ought therefore to be housed and fed in whatever municipal lodging houses, or other accommodation the nearest town can afford for the purpose of supporting him on his way from one employment to another. If, however, he has been travelling for some time without finding employment and it becomes clear that either because of exceptional industrial conditions or because of some

66 The Elimination of the Tramp

incapacity he is not likely to find employment, he ought either to be induced to sign a two months' contract with a free labour colony or be taken before a magistrate who will then exercise the discretion above explained.

Obviously it is to the interest of society that an able-bodied man should find employment at the earliest moment possible. He ought therefore to be encouraged to this effect, and every town ought to furnish him free lodging and food until such employment is found. It would seem advisable to divorce this lodging house in which the unemployed are housed from the police, for it is difficult for the police who are daily dealing with crime to give to such unemployed the consideration to which they are entitled. It would be expedient, if possible, to divorce them also from the Department of Charity, for a self-respecting workman ought to be provided by the State with the means of obtaining employment as a right and not as a charity. These stations ought therefore to be under the Department of Labour and not under that either of Charity or Correction.

Labour Colonies Applied to America 67

§ 4. *Functions of a magistrate under the labour colony plan.*

The labour colony plan will under these conditions for the first time put the magistrate in a position where he can render intelligent and useful service. It cannot be too often repeated that the task imposed upon a magistrate to-day is an impossible one in view of the inability of the magistrate to distinguish between the numerous kinds of vagrants that come before him, presenting a similar aspect to the eye, though undoubtedly characterised by profound differences not immediately discernible. As has been already stated, in view of this difficulty, magistrates have got into the habit of committing vagrants to the workhouse for short terms which are useless because ineffectual whether for relief or for reformation. The task of the magistrate becomes simple under the labour colony plan. In the first place the genuine unemployed does not come before him at all, unless a long failure to obtain employment has reduced him to the condition of the unemployable. When an unemployable comes before a magistrate, he has only three questions to put himself: Is he obviously blameless? If

68 The Elimination of the Tramp

so he is to be recommended to sign a two months' contract with a free labour colony. If he declines to sign he must be committed to the forced labour colony. If he is obviously not blameless, that is to say if he has been guilty of larceny, or if he has been brought up for a second or third time for disorderly conduct, he must be committed to a forced colony. If there is doubt as to whether he is blameless or not,—if for example he is brought before a magistrate only for the first time for disorderly conduct, or if without any charge of disorderly conduct, his condition seems to indicate doubt as to whether a free colony will furnish him with the discipline he needs, then he should be invited to sign a contract with a free labour colony and the free labour colony should be requested to hold him under surveillance.

§ 5. *Treatment of the inmates in the forced and free labour colonies.*

It is indispensable that the labour colony be distinguished to the utmost possible from either the penitentiary on the one hand or the workhouse on the other. It is true that the forced labour colony partakes of the peni-

Labour Colonies Applied to America 69

tentiary and the free labour colony of the workhouse, and yet until the apparent similarity between these respective institutions is obliterated by a total change in the whole attitude of the management to the pauper, false notions will continue to prevail upon this subject. Candidates for labour colonies are unhappy people, and the effort of a labour colony ought to be to render them less unhappy, to improve their bodies, and by improving their bodies fit them for the enjoyment of life. Such discipline as is indispensable in these colonies should not be more strict nor otherwise regarded than the discipline of the hospital; the occasional use of the correction cell should represent in the labour colony what surgery represents in the hospital. No well man wants to go to a hospital; no more will any man fit for the competition of life want to subject himself to the discipline of a labour colony; men unfit for the competition of life are a danger to the community and to themselves; they should, in their own interests as well as those of the community, be put where *without expense to the community* they can be rendered fit. The whole object of the labour colony is to make the unfortunate

70 The Elimination of the Tramp

less unfortunate on the one hand, and to relieve the community of the consequences of their misfortune on the other. It would be as insane to oppose the right of the community to isolate small-pox patients from the community on the ground of the rights of individual liberty as to refuse to isolate paupers and vagrants who constitute a source of infection wherever they are tolerated. Habitual vagrants are of course likely to be as fretful under the discipline of a labour colony as many patients are under the discipline of a trained nurse. Their best welfare, however, and the welfare of the community demand that they should be treated. Of this there can no longer be any possible doubt. For hundreds of years civilisation has been attempting to treat vagrancy by so-called deterrents and failed. This is the unanimous conclusion of all those who have studied the subject. Wherever, on the contrary, recompense has been substituted for punishment, the result has justified the substitution. This principle is now universally recognised by trainers of wild animals, who accomplish their best results by rewards, and use punishment only in extreme and exceptional cases.

Labour Colonies Applied to America 71

If the *free* labour colony can be given the atmosphere of the home, such as prevails at Lühlerheim, there will be little desire to escape from it until the inmate is fit for restoration to normal social conditions; but should any individual unfit for such conditions desire to abandon the free colony, he can easily be induced to remain there by the fact that liberty should be given to the director to bring his case before the magistrate, with the alternative of committal to a *forced* labour colony should the magistrate decide that the director is right in refusing consent to withdrawal from the institution. Under these conditions there should be no objection to the indeterminate sentence as regards these colonies. Indeed the words "sentence" and "committal" should be carefully avoided in this connection, and some other words found to indicate that a particular free colony is selected as the home to which the inmate is to be directed. Once in the home, the majority of the inmates would not desire to leave it until they were fit to leave it, and upon the few who may desire to leave it before they are fit, a gentle pressure could be exercised through the right of

72 The Elimination of the Tramp

the director to bring the case before the magistrate.

One of the great advantages of the labour colony system is that it furnishes an opportunity to the director to watch the progress of every inmate and slowly prepare him for restoration to social life. But obviously this matter should not be left to the director alone. He should be subjected to two checks: in the first place, any inmate, after the expiration of his minimum term, ought to be at liberty to bring his case before the court under Habeas Corpus proceedings; in the second place there ought to be attached to every labour colony group a committee, composed partly of officials and partly of non-officials, whose business it should be to keep informed regarding every case in the colony, to which the inmates of the colony could occasionally refer, and which would have the power not only to make recommendations to the director, but even to bring cases before the court if they considered detention was being unduly prolonged.

Such a committee of supervision might constitute an influence of the greatest value in connection with labour colony groups, and in

this context a word may be said as regards a suggestion that labour colonies be entrusted in part to philanthropic initiative and enterprise.

In the first place, a distinction can be made upon this point between forced and free labour colonies. The latter might in some measure be left to philanthropic enterprise, but it seems difficult if not impossible to clothe philanthropists with the power of coercion necessary to the conduct of a forced labour colony. In the first place, philanthropic institutions very often owe their origin and usefulness to the labours of one man, at whose death they are likely to fail in their purpose and to perish for lack of funds. In the second place, there is a lack of continuity in the efforts of many philanthropists, to which a matter so important to the community as a forced labour colony should not be surrendered. In the third place, although we are all familiar with exceptional instances where philanthropists have been willing to do the daily drudgery involved in the management of such an institution as a labour colony, it is a characteristic of some philanthropists that they are more willing to address assem-

74 The Elimination of the Tramp

blies than to keep books. All persons who have studied the administration of relief funds must be familiar with the extreme difficulty of utilising the fine impulses of some of our fellow citizens, without exposing sound social economy to the inconvenience that attends purely voluntary service. They are also familiar with the perfunctoriness that tends to characterise the work of officials. The task with which we are confronted is how to avoid the dangers attending official perfunctoriness on the one hand and philanthropic caprice on the other. This problem can probably best be solved by putting all matters of administration in the hands of paid officials, and constituting by their side committees of surveillance composed partly of philanthropists and partly of officials, thereby combining the humane interest of philanthropists with the experience of official experts. The presence of officials on the committee will ensure the regular action of such committee, and the presence of philanthropists on the committee will tend to give to the action of the committee the element of humanity which officials tend in the routine of their work to lack.

A committee of supervision of this character

Labour Colonies Applied to America 75

was organised in Belgium, and its failure to act might be urged against this plan. But the failure of the committee of supervision in Belgium was due to obvious reasons: In the first place, it was not given sufficient power; in the second place, the colony at Merxplas is composed of so many individuals that any attempt on the part of the committee to become familiar with the five to six thousand cases there would have been vain. The experience of Merxplas again furnishes an additional reason why the colony group should be small, so that committees of surveillance organised to temper the action of the director may acquire a knowledge of every case in the institution to which they are attached, and may thus be encouraged to render service because their service can be effectual.

With the precautions above mentioned, the indeterminate sentence would lose all its inconvenience, for every inmate would be protected by his right of individual appeal to the courts at the expiration of the minimum term, and by the support of the committee of patronage whenever his case seemed to the committee worthy of support.

But if there be in any legislature a prejudice

76 The Elimination of the Tramp

against the application of the indeterminate sentence to vagrants, it does not seem necessary to do more than commit to the forced colony for a definite term, such term to be diminished by good behaviour but subject to increase should the director and the committee of supervision be persuaded that a release would only throw the inmate back upon his bad habits again.

Under such circumstances, as has been already suggested, the director ought to be at liberty to bring the case before a magistrate with a view to securing recommitment for a further term, the vagrant having the right to counsel designated by the court, if not chosen by himself, in case he objects to such re-commitment.

At Merxplas the minimum term is two years and the maximum seven, but by the system of diminishing the term for good conduct it is reduced to an average of thirteen months. In Switzerland the commitment to forced colonies is for a term of two years, and this also is subject to reduction by good conduct. Upon this question public opinion has perhaps still to learn the lesson that punishment does not deter, that vagrancy is a matter of habit,

Labour Colonies Applied to America 77

and that until the habit of vagrancy is replaced by the habit of work, restoration to normal life is unwise not only for the individual but for the community also.

§ 6. *Punishment.*

It must not be assumed that because humane treatment of tramps is urged in this monograph, it is proposed to abstain from punishment altogether. The experience to be derived from the Dutch colonies is that the mere existence of a dark cell to which the inmates can be confined is sufficient to exercise the necessary discipline. The director informed me that he hardly used the cell more than once a year. In the forced labour colonies of Switzerland the inmates, owing to the existence of a free colony alongside, are of a lower criminal average than in Holland, and the result is that the dark cell is resorted to somewhat more frequently, as has been already explained in the text. The extent to which the cell is used must depend upon the character of the inmates and the temperament of the director.

Persons who have been long accustomed to deal with criminals are generally of the opinion

78 The Elimination of the Tramp

that a more severe form of punishment than the cell must or should occasionally be resorted to; that many of the inmates in the workhouse and penitentiary who are perfectly able to work in mind as well as in body, and deliberately quarter themselves upon the public by committing offences which will ensure them winter quarters in some State institution, can be deterred from levying this tax upon the community only by the fear of corporal punishment. When the objection is made that corporal punishment occasions more harm to the person who inflicts the punishment than it does good to those who receive it, they reply that mechanical contrivances could easily eliminate this objection. Upon this it is not my intention to express any personal opinion; the question of punishment is one of the most difficult with which the penologist has to deal. Some of the highest authorities recommend it; others are bitterly opposed thereto.

Obviously a labour colony must not be made a place so agreeable that it will constitute a resort for all who prefer freedom from responsibility to the freedom of competitive life. In Holland every person who

is found begging in the streets is imprisoned for at least two weeks as a punishment. Imprisonment in a dark cell with nothing to eat or drink but bread and water might usefully be resorted to as a deterrent in cases where perfectly able-bodied men show a disposition to abuse of the hospitality of the labour colony system.

Nor is there anything in the labour colony system which prevents the use of corporal punishment, should the Legislature consider corporal punishment advisable. The one thing which must not be forgotten regarding the colony system is that it ought to be self-supporting and that therefore so far as the burden to the community is concerned, it is a matter of indifference how many may resort to it. It is a matter of importance, however, that there should not be a wholesale pauperisation of the working class, and some check must be found to a disposition to abuse of the labour colony system; the severity of the check must depend upon the extent of the evil.

§ 7. *Size.*

As regards size it is probable that no colony should accommodate more than 700

80 The Elimination of the Tramp

inmates, that is to say 300 in the forced colony, 300 in the free colony, and, say, 100 under surveillance.

An exception to this rule might have to be made in the neighbourhood of such a large city as New York, but even there it would probably be better to have several of these colonies, say in Long Island, Richmond County, and Westchester County, than to have them all grouped in one large institution which would reproduce the inconveniences of Merxplas. The Departmental Committee seems to think that it is not advisable that these colonies be multiplied. It gives as a reason therefor that small colonies would be more costly than large. The experience of Switzerland shows on the contrary that it is the small colonies that pay their way and the large colonies that are expensive; but this subject has already been sufficiently insisted upon.

§ 8. *Cost.*

The English Departmental Committee estimated that the net cost of food, clothing, and maintenance in the colony should not exceed one dollar weekly for each colonist. The ex-

Labour Colonies Applied to America 81

perience of Switzerland shows that if properly managed, colonies ultimately become self-supporting; but obviously, during the time of construction, the colonies will constitute an expense, and it would be well to provide for at least the sum above mentioned. But here again it may be well to repeat that costly buildings are to be avoided. We have to recognise that in creating labour colonies for the isolation of all vagrants in America the present generation is undertaking a task which, though heavy for ourselves, will be immensely lightened for those who are to succeed us; for, by isolating the present generation, the production of new generations will be in great part checked. It is probable that the vagrant population of the United States is about 500,000; by taking these vagrants off the streets and high-roads the number of vagrants so to be cared for will eventually be greatly diminished. In the first place, vagrancy will not continue to be propagated by example; in the second place, it will not be propagated by seduction; and in the third place it will not be propagated by fatherhood. When these three sources of propagation are eliminated, it is probable that after the present generation

82 The Elimination of the Tramp

of vagrants has disappeared through death and restoration to the community, their places will only be partially filled by succeeding generations in continuously diminishing proportion.

For this reason large and costly buildings would be not only unnecessary but useless. Temporary structures alone should be built just solid enough to shelter from cold and to last two or three generations; for not many years hence if this system be put in operation effectually we shall be pulling down buildings and not putting them up.

The question necessarily suggests itself here: How will this system work in periods of such industrial depression as the present? Obviously it would be useless to attempt to hurry an unemployed worker from shelter to shelter when as to-day there is no work for him to do anywhere. The expropriation by the State, however, of large tracts of uncleared and undrained land for the needs of labour colonies would for some generations to come suffice to provide emergency work in such crises as the one through which we are now passing. It is part of the proposed plan to secure at once large enough tracts of

Labour Colonies Applied to America 83

land to serve not only the immediate purpose of the labour colonies, but also later on that of such smaller colonies as Nusschhof¹ where inmates fit to be restored to social life can earn as substantial wages as on a private farm, and can put aside a sufficiently large sum to put them beyond the danger of falling back upon the institution for lack of funds. It would be bad policy to set our first colonists to the task of clearing and draining till all our land were fit for cultivation; on the contrary they ought to be set at the earliest possible date to the task of producing crops for their own sustenance, leaving a large fringe of uncleared land for subsequent colonies of the Nusschhof type.

Again it will be important to maintain such a fringe of land destined for free cultivation in order to remove the apprehension of surrounding farmers as regards the proximity of what they might consider as an unwelcome neighbour. If the unwelcome neighbour were kept at a distance from the free farmer first by a large margin of uncleared land, and later by a ring of free though institutional farms,

¹ Described on p. 40.

84 The Elimination of the Tramp

there would be no reasonable ground for such apprehension.

Such a precaution would render it easier and cheaper to purchase for our purpose such land as the scrub-oak tracts of Long Island.

The task of providing food and shelter for 500,000 vagrants looks at firstsight formidable; but it is not as formidable as it looks, when we consider that it is to be spread over the whole of the United States and the expense distributed among eighty millions of people. And no State need be deterred from undertaking its share of this task by the fear that an undue share will be imposed upon it. Tramps hate all institutions and will abandon every State that certainly and comprehensively deals with them *all*. It is because vagrancy laws are not executed that tramps now wander freely through the country. The first State that provides a system that makes it humane and just for the magistrate to sequester *every* vagrant that comes before him will promptly rid its borders of the tramp who will avoid this State and proceed to others where he can roam unmolested. All the States will be driven by this process one after the other to adopt the labour colony plan; it is the last State

Labour Colonies Applied to America 85

to adopt it that will bear the brunt of vagabondage; not the first.

§ 9. *Relation of forced labour colonies to penitentiaries.*

The forced labour colony at Witzwyl is practically a penitentiary. It receives all persons convicted for misdemeanours. But by the side of the forced labour colonies there subsist the old penitentiaries where a severe discipline is maintained.

It seems probable that the old penitentiaries are still used only because they are there, and that ultimately all penitentiaries, and even State prisons, will be slowly converted into farm colonies; for there seems no reason why truck farm work should not be universally resorted to. By the application of intensive culture a very large number of men can be put to work on a very small space¹ and thus made to recover bodily health, nervous tone, and laborious habits with the least possible expense. It may seem sanguine to hope that State prisons will

¹ *Evolution and Effort*, Chapter X., 2d ed., p. 168. *Fields, Factories, and Workshops*, Chaps. III., IV., and V., by Prince Kropotkin.

86 The Elimination of the Tramp

ever be self-supporting upon the farm-colony plan in view of the large number of surveillants necessary to keep order there, and the necessity of surrounding the farm with high stone walls. But if it be remembered that these stone walls can be built by the unemployed at a comparatively low cost; that when built they pay income through the productiveness of fruit grown against them ¹ and that surveillants can be made to earn their salary by working as in Switzerland, with the prisoners, the improbability of their being ultimately self-supporting diminishes. Hence the importance of postponing the building of the proposed penitentiary on Riker's Island, at a cost of \$4,000,000, when half this sum ought to suffice not only to solve the tramp problem, but to avert all danger of congestion in our existing penitentiaries.

For the present, therefore, it seems wiser to leave the question how far the forced labour colony can replace the penitentiary open. A very few years of experience ought to answer it.

¹ Practically every French vegetable garden is surrounded by a high stone wall for this reason.

CHAPTER VI

INDISCRIMINATE ALMSGIVING, AND CONCLUSION

AT the risk of wearisome repetition, a final word must be said on the subject of almsgiving. The *Report of the Departmental Committee* very justly points out that vagrancy flourishes upon it; that if vagrants had no compassionate neighbours, shelters, soup kitchens, etc., to depend upon, they would be driven to seek work in the absence of charity; and cites with favour the laws passed in some cantons of Switzerland that make almsgiving a penal offence.

Such laws may seem to old-fashioned Christians as a somewhat distant departure from the injunction: "He that giveth to the poor, lendeth to the Lord," but it is of the utmost importance to remember that while such a law would, under present conditions, be altogether wicked in America, the conditions that prevail in Switzerland make it a logical

88 The Elimination of the Tramp

feature of the practical philanthropy instituted there.

The reason why men and women continue to give alms indiscriminately is because there are many cases of misery for which no adequate provision is made. Some years ago relief societies used to divide cases into deserving and undeserving, and this classification, although it has now been practically abandoned, still haunts the public mind. No one can read Mr. Edward T. Devine's book on *Principles of Relief* without being struck by the efforts now made to relieve every case of distress. There remains, however, a very large number of cases, which in spite of every effort it is impossible for private charity to relieve; so that to-day cases fall into the classification of helpable and unhelpable, rather than into that of deserving and undeserving. One conclusion clearly results from a reading of this book: there *are* cases that no *private* charity can ever relieve. And to this conclusion must be added the consideration that probably most of the unhelpable cases, such as tramps, never come before relief societies at all. In other words, unhelpable cases cannot be relieved by private charity because it

has no power to use the coercion, however mild, which is found to be indispensable in these cases.

Now there are many good hearts and good heads which ask the extremely pertinent question: Are not unhelpable cases also entitled to consideration?

In the first place it may be laid down as an indisputable fact that no perfectly *healthy* man or woman prefers begging to working. Normal people are not only willing to work, but even unhappy if they are not working. Laziness is due either to temperamental defect or to wealth that makes work unnecessary, and to poverty that makes it impossible. The healthy workingmen, tradesmen, and farmers that constitute about four-fifths of the population work as naturally as they eat or sleep; it is only when we move away from the wholesome average man to the extremely wealthy on the one hand and the extremely poor on the other that we find unwillingness to work developed to the point of vice. With this vice in the rich we are not at present concerned; it is the effect of this vice in converting poverty into pauperism, vagrancy, and crime that we have to consider.

90 The Elimination of the Tramp

It is quite useless in this connection to inveigh against existing industrial conditions; they may be revolutionised some day; but at this present moment they are producing paupers, vagrants, and criminals faster than we can relieve or punish them; and the insistent problem before us is how best to handle these unhappy people, not only in mercy to them but in justice to ourselves. We have a duty to those who are worn out by our competitive system, and we have a right to protect ourselves from the evils to which their existence necessarily gives rise.

The moral responsibility for this industrial waste is nowhere clearly fixed. The symptoms of overwork are not always the same. There are moralists who would be quite satisfied if exhausted artisans would regularly and respectably die in hospitals of tuberculosis, and other easily diagnosed diseases; but this is not what happens: some tired workmen, in unconscious need of more concentrated nourishment than their table can afford, have recourse to alcohol; this in the first instance may be altogether innocent; a mere accident may reveal that a glass of whiskey will enable them to finish a day's work without which they would

be obliged to throw up the sponge; the very eagerness to accomplish their task in the allotted time is sometimes the inducement to drink; they do not know that the medicine to which they have recourse will end by becoming a poison with which they cannot dispense, and through which a self-respecting working man in the effort, with failing strength, to support his family, becomes a drunkard and falls into the class of Unhelpable Case.

Others are thrown by repeated sickness out of regular employment; they are reduced to pick up odd jobs for a living; they become casuals; their leisure is necessarily spent in public-houses, where they, like their richer brothers, have to kill time, and do it at the expense of their morals and of their self-respect; they become less and less fit for regular work, and gradually become converted into vagabonds, "incorrigible rogues," and fall into the class of Unhelpable Case.

Others, again, express their exhaustion in moroseness and even brutality; husband and wife scold and beat one another; the home is rendered insupportable and breaks up; the women resort to the saloon and worse; the

92 The Elimination of the Tramp

men to the streets and highways. There are occasional unhappy marriages in the upper class, but they do not lead to vagabondage; wealth makes it possible for ill-assorted couples to live in different apartments under the same roof; but perpetual quarrels between husband and wife in the presence of children and in a single room render life insupportable. The same evil which only produces inconvenience among the rich drives the poor to drink and vagabondage; and thus, whether the responsible authors of their wretchedness or not, they fall into the class of Unhelpable Case.

The above is not intended to support the theory that there is no difference between one case of poverty and another; on the contrary, there is a classification which runs very nearly parallel with that of the Relief Societies but differs from it in some important particulars.

In the first place, society is as much concerned with unhelpable cases as with helpable cases; both, if neglected, result in injury to society, and unhelpable cases much more rapidly than helpable.

In the second place, the essential difference between the cases which can properly be relieved by private means and those which can

be properly handled only by the State is that in the one relief intelligently given may save the case from pauperism, while in the other no temporary relief is likely to be of permanent service. Here is the touchstone: is it poverty or pauperism? If mere poverty, if purely accidental, temporary, and *preventable*, then it is infinitely better that the case be handled by individual and friendly relief than that it should be allowed to swell the pauper residuum from which it can with greater difficulty be rescued.

If the above is a correct exposition of the problem of pauperism, it would seem as though we should have to restate some of the formulæ which tend to mislead our minds.

There are no undeserving cases of pauperism if by undeserving is meant undeserving of consideration.

There are *helpable* cases of *poverty* that can by timely and intelligent relief such as is today rendered by the Charity Organization Society and the Association for Improving the Condition of the Poor, be saved from pauperism; but all *unhelpable* cases of *pauperism must* be handled by the State, not only out of mercy to them but out of justice to ourselves.

94 The Elimination of the Tramp

It is only when the State handles every case of pauperism that almsgiving can be condemned; for if a single case is left unprovided for, that case is one that justifies almsgiving; whereas if *all* cases are provided for, almsgiving is wrong because it prevents or postpones the application to the person receiving alms of the system created for his benefit.

That all cases of pauperism can be handled by the State at no expense beyond that of installation has been proved by the Swiss labour colonies.

That all cases of pauperism can be so handled without injustice to the paupers and even without undue invasion of individual liberty has been demonstrated by the operation of the double system of free and forced labour colonies.

That many cases of pauperism are capable of reformation seems indicated by the Borstal experiment in England, and still better through the sub-colony plan of Witzwyl.

And thus we are led to a possible solution of the problem of pauperism:

For those in search of employment, way tickets and casual wards;

For the temporarily unemployed, in excep-

tional periods of depression temporary relief work;

For the unemployables, free labour colonies wherever possible, forced colonies wherever necessary; these colonies should be small and agricultural rather than large and industrial; paying their own expenses; not competing with free labour. And if once started under the management of practical farmers, assisted by committees of surveillance, it is not improbable that they will end by furnishing temporary relief work for the unemployed, employment for those seeking it, and a less dreary, expensive, and useless life to the aged and infirm; so that they will eventually replace not only the workhouse and almshouse, but also the police and municipal lodging house. Later on even penitentiaries and prisons may yield up their hardened inmates to wholesome contact with Mother Earth; we may no longer with the agony of a Hercules have to hold up this weighty Antæus from the source of his strength; and the words of Seneca may at last receive their application, "*pæna non irascitur sed cavet.*"

APPENDIX A

INSTITUTIONAL FARMS IN AMERICA

THOSE who have heard of the City Farm at Staten Island, of the State Farm in Massachusetts, and of similar farms in New Jersey, as, for example, the one at Englewood, may imagine that the system of farm colonies herein proposed has already been tried in America without having resulted in much success. An answer to this objection will be found, however, upon a careful study of these institutions.

The City Farm on Staten Island and similar farms in New Jersey constitute a most praiseworthy effort to give to the aged poor a less costly and less dreary life on a farm than they could lead in an almshouse. They are in other words almshouses situated on farms.

The City Farm on Staten Island consists of 165 acres of which nearly 90 are under cultivation. They employ only about four or five farm hands in addition to two or three

98 The Elimination of the Tramp

stable men and drivers. The rest of the work is done by the inmates of whom there are about 173 men and 100 women.

The inmates are encouraged to work. If they are able-bodied and won't work they are sent to the workhouse; if they are unfitted for it, they are not required to work. The result shows an improvement upon the ordinary almshouse system. The City Farm in 1906 provided Blackwell's Island with vegetables amounting to \$6,082. I am informed that in 1907 their shipment was increased to over \$8,000. Moreover a very large amount of produce raised on the farm was consumed by the inmates. The City Farm received no cash payment for the vegetables it sent to Blackwell's Island nor is there any account taken of the amount of vegetables consumed upon the farm. It is difficult therefore to state with precision how far the City Farm plan is more economical than the almshouse, but there is no doubt as to its being cheaper. In other words the experience of the City Farm is that it is a cheaper system than the almshouse and that it furnishes to its inmates, a less monotonous and more wholesome existence.

The State Farm of Massachusetts is not

Institutional Farms in America 99

an almshouse: it is a workhouse and a very good one. Its inmates are inebriates, tramps, and vagrants. Last year the whole number of admissions was 4,316.

Of this 3,404 were for drunkenness.

295 for vagrancy.

113 for tramping.

49 for idle and disorderly conduct.

8 for "vagabondism."

51 for sundry other offences.

Vagrants are generally committed for a period of from nine months to two years, but the sentence is indeterminate and the men are generally discharged after an average term of nine months. They are then however, discharged only on probation.

There are a number of industries on the farm, but there is no system of rewards and the inmates therefore have little incentive to work. The average weekly cost per capita is \$2.27. Below is a statement of the farm for 1906:

Dr.

State appropriation.....	\$258,491.73
Sales, etc.....	26,218.79
	<hr/>
	\$284,710.52

100 The Elimination of the Tramp

Cr.

Salaries, wages, and labour	\$72,377.11	
Food	74,099.66	
Clothing and clothing material	21,993.67	
Farm, stable, grounds..	17,242.20	
Travelling expenses, chapel services, soap, medicine, fuel, light, printing, stationery, etc.....	72,779.09	\$258,491.73
<hr/>		
Paid into the State Treasury	26,218.79	
		<hr/>
		\$284,710.52
		<hr/>

The fact that the sales did not exceed in amount \$26,218.79 and that the salaries, wages, etc., amounted to \$72,377.11 indicates how little the work done by the inmates goes to pay for the expenses of the institution. The principal object of the institution is to treat inebriates and to deter tramps. In this latter capacity it has worked well. The fact that the term for which tramps are committed is longer in Massachusetts than in other States;

Institutional Farms in America 101

that magistrates have power to commit vagrants either to a jail, house of correction, penitentiary, or State Farm, and that the vagrants who come before the magistrates are generally so committed, has had for effect greatly to diminish vagrancy in Massachusetts.

Obviously the experience of the State Farm in Massachusetts cannot be of much service to us in coming to a conclusion as regards the advisableness of introducing in the United States the system of farm colonies proposed in this monograph, though the fact that the State Farm has acted as a deterrent must not be lost sight of in this connection.

In conclusion the experience of Institutional Farms in the United States seems to indicate that they can be run cheaper than similar existing institutions without farms, and that when applied to tramps they can act as deterrents. Their failure to reform cannot be urged against the labour-colony system proposed in this monograph because reform cannot be said to have been directly aimed at by any of them. Nor can their failure to meet expenses be argued against our proposal because in no American experiment has any farm been exclusively devoted to the able-

102 The Elimination of the Tramp

bodied. In Massachusetts the majority of the inmates of the State Farm are inebriates, and in Staten Island and New Jersey the majority are aged and infirm.

APPENDIX B

CLASSIFICATION

DR. REITMAN has submitted to me the following classification, which not only because it comes from a man who is himself a tramp but because of a certain picturesqueness which characterises it as the work of a tramp, I publish as it comes from his pen:

DR. REITMAN'S CLASSIFICATION

The words "tramp," "hobo," "bum," "vagrant," etc., are terms which are generally used synonymously, but there are unquestionably three distinct types of itinerant vagrant tramping about the country. These I shall call "tramp," "hobo," and "bum." They are three species of the genus vagrant.

104 The Elimination of the Tramp

VAGRANTS or penniless wanderers. Every species is itself sub-classified according to: a. Character. b. Geographical distribution. c. Type.	I. TRAMP	
	a. Dreams and wanders.	Tramp criminal.
	b. Trampdom—Main lines of railroads.	Criminal tramp. Neuropathic tramp.
	c. Runaway boy.	
	2. HOBO	
	a. Works and wanders.	Tramp hobo.
	b. Hoboland—farms, ice-houses, section houses, mines, etc.	Train hobo. Bum hobo. Criminal hobo. Neuropathic hobo.
	c. Non-employed.	
	3. BUM	
	a. Drinks and wanders.	Criminal bum.
	b. Bumville—Barrel houses and saloons.	Neuropathic bum.
	c. Drunkard.	

The only explanation that the foregoing seems to require is as to the distinction between tramp criminal and criminal tramp. By the tramp criminal is meant a criminal who resorts to tramping in order to escape detection. By criminal tramp is meant a tramp who does not beg but steals.

CLASSIFICATION OF THE DEPARTMENTAL COMMITTEE

In Chapter III. of vol. i. of *The Departmental Report on Vagrancy* (pp. 24-25), the following classification is found:

1. Bona fide working man in search of work.
2. Unemployed willing only to undertake casual labour.
3. Able-bodied not willing to work at all.
4. Non-able-bodied or unemployables.

I venture to suggest that the foregoing is not complete and to propose the following:

I. CLASSIFICATION ACCORDING TO PHYSICAL STRENGTH

A. ABLE-BODIED

1. Able-bodied boys travelling for fun.
2. Able-bodied unemployed anxious to work.
3. Able-bodied unemployed accustomed to casual labour and willing only to work on odd jobs.
4. Able-bodied unemployed not willing to work at all.
5. Misdemeanants.

B. NON-ABLE-BODIED

1. Blameless unemployed who are unable to work through age, illness, or accident.
2. Unemployed whose capacity for work has been affected by drink.
 - (a) Those whose physical incapacity is temporary and who can within reasonable time recover capacity to work upon being removed from the temptation to drink.

106 The Elimination of the Tramp

- (b) Those whose incapacity is permanent but who are capable of being restored to physical capacity after a sufficiently long treatment.

- (c) Incurables.

- 3. Neuropaths.
- 4. Misdemeanants.

II. CLASSIFICATION ACCORDING TO BLAMELESSNESS

A. BLAMELESS

- 1. Able-bodied anxious to work.
- 2. Non-able-bodied unable to work through age, illness, or accident.
- 3. Able-bodied boys travelling for fun.¹
- 4. Neuropaths.

B. NOT BLAMELESS

- 1. Able-bodied willing to work at casual labour only.
- 2. Able-bodied refusing to work.
- 3. Drunkards.
- 4. Misdemeanants.

¹ These boys are classified as blameless because if the railroad stations and tracks were guarded here as they are in Europe the boys would not be tempted in the first instance to train flip. The fault can hardly be imputed to the railroads, for the country is not closely enough settled to make the guarding of tracks feasible, and the habit of stealing rides has become so prevalent that train hands cannot be induced to obey orders and put a stop to it.

III. CLASSIFICATION ACCORDING TO CAUSE
OF UNEMPLOYMENT.

A. TEMPORARY

1. Able-bodied anxious to work.
2. Able-bodied willing to work at casual labour only.
3. Able-bodied boys travelling for fun.

B. PERMANENT

1. Able-bodied who refuse to work.
2. Able-bodied misdemeanants.
3. Non-able-bodied unable to work in consequence of:
 - (a) Age, illness, or accident.
 - (b) Drunkenness.
 - (c) Misdemeanants.
4. Neuropaths.

The value of this classification is explained in the text.

APPENDIX C

FORM OF CONTRACT USED IN SWITZERLAND

CONTRACT between the Colony of Nusshof, near Witzwyl, of the first part, and _____, colonist, of the second part.

1. The undersigned, who enters the Colony of his own free will, for the purpose of working there, agrees to obey the rules and regulations of the said Colony, to stay at least two months, and to inform the managers of his intention to leave at least a week in advance.

2. Articles of clothing which have not been paid for by the colonist must be left behind on leaving; he is only entitled to such clothes as he brought with him.

3. Every inmate is given lodging, sufficient food, and working clothes, so that he has no expenses whatever. He shall be cared for in the Colony in case of temporary sickness (unless brought on through the inmate's own fault).

4. Wages vary from 50 centimes to Fr. 1.50 per day, in accordance with Articles 8 and 9 of the Rules.

If the inmate is expelled during the first two months (Article 4 of the Rules), he is not entitled to receive any wages.

5. As regards payment of wages, Article 10 of the

Swiss Form of Contract 109

Rules applies. Every inmate, upon being admitted to the Colony, is informed of the Rules.

In case of disagreement, the question shall be brought before and settled by the Witzwyl Institution.

Witzwyl, this day of , 190 .

APPENDIX D

RULES AND REGULATIONS OF NUSSHOF COLONY

1. THE Witzwyl Colony has a home at Nussdorf for discharged inmates, the object of which is to provide those among the latter who wish to make better use of their liberty, with a home to be considered as an intermediary stage between the Forced Labour Colony and the outer world.

As long as there is room, unemployed workmen are free to enter the home and to work there on the same lines as the other colonists.

2. Employment is given and a contract entered into between the foreman and the colonists.

3. Colonists must furnish proof that their late conduct has been satisfactory.

Cripples or workmen suffering from infectious diseases are not admitted.

4. Colonists must obey the rules of the establishment.

Drunkenness and unruly behaviour are followed by immediate dismissal.

5. Colonists are not allowed to leave Witzwyl without an authorisation from the Director.

Rules of Nusshof Colony

III

6. Colonists who have shown industry and capacity can attain positions of trust.

7. Colonists receive free board and lodging, and working clothes.

Special agreements are entered into with skilled labourers as regards remuneration.

8. Colonists who enter the establishment in the winter (December 1st to the end of February) receive no wages during that time. Those who enter in the summer or autumn (March 1st to the end of December), and whose work is satisfactory, receive reduced wages during the winter months.

9. Wages vary from 50 centimes to Fr. 1.50 per day. The foremen fix the wages in the beginning.

10. During the time of the contract, the managers fix the amount of wages. A part of the men's wages is spent on clothes and linen; the rest is placed to their credit unless paid out for the maintenance of the colonist's family.

O. KELLERHALS, Director.

WITZWYL, *June*, 1905.

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